

IN THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY,  
PENNSYLVANIA - CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA, :

NO. CP-46-CR-0003932-201

v. :

WILLIAM H. COSBY, JR. :

**DEFENDANT'S OBJECTIONS AND COUNTER-DESIGNATIONS PURSUANT TO**  
**PENNSYLVANIA RULE OF EVIDENCE 106 REGARDING THE PRIOR TESTIMONY**  
**OF WILLIAM H. COSBY, JR.**

TO THE HONORABLE STEVEN T. O'NEILL, COURT OF COMMON PLEAS OF  
MONTGOMERY COUNTY:

Defendant William H. Cosby, Jr., by and through his attorneys, hereby submits the following objections and counter-designations of the deposition of William H. Cosby, Jr. dated September 28-29, 2005 and March 28-29, 2006. Enclosed herewith as Exhibit A is a list of the objections, page:line references and a report of the relevant excerpts of the transcripts, reflecting the testimony the parties have agreed to admit at trial, and noting in the margins where there are disputes.

To the extent Defendant objects to the Commonwealth's designation, a dashed line in the left margin denotes objectionable testimony. The solid lines in the left margin denote testimony designated by Defendant, to which the Commonwealth objects. Defendant argues that each of its designations are admissible under Pennsylvania's Rule of Evidence 106 ("PRE 106"), which permits admission of Defendant's designated excerpts of deposition testimony on fairness grounds:

"If a party introduces all or part of a writing or recorded statement, an adverse party may require the introduction, at that time, of any other part—or any other

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writing or recorded statement—that in fairness ought to be considered at the same time.”

The Comment to PRE 106 explains that the rule’s “fairness” standard requires guarding against giving the jury a misleading impression by only introducing portions of documents (here, Mr. Cosby’s prior depositions) that are taken out of context. The Comment to PRE 106 provides, in pertinent part, as follows:

The purpose of Pa.R.E. 106 is to give the adverse party an opportunity to correct a **misleading impression** that may be created by the use of a part of a writing or recorded statement that may be taken **out of context**. This rule gives the adverse party the opportunity to correct the misleading impression at the time that the evidence is introduced. The trial court has discretion to decide whether other parts, or other writings or recorded statements, ought in **fairness** to be considered contemporaneously with the proffered part.

PRE 106, Comment (emphasis added).

Pursuant to PRE 106, Defendant’s designations in dispute fall into the following categories as listed in the attached document:

1. Admissible to complete a line of questioning, where Defendant’s designation precedes or follows a designation agreed by the Commonwealth.
2. Admissible to provide context and provide explanations for the Commonwealth’s designations of testimony, to avoid creating a misleading impression for the jury on the following issues:
  - A. **The history of Mr. Cosby’s consensual relationship and prior sexual content with the alleged victim, Andrea Constand.** These excerpts give context to specific designations by the Commonwealth regarding “these sexual encounters” (CW Designation of 9/28/05 Depo. at 180:21-24). In addition, they provide context and explanation for the Commonwealth’s designated testimony regarding Mr. Cosby’s recollection of the night of

the alleged incident (e.g., CW Designation of 9/29/05 Depo. at 233:11-235:9), including explaining why Mr. Cosby would feel comfortable offering Ms. Constand Benadryl to relax; and Mr. Cosby's reaction to Ms. Constand's claim of improper conduct and communication with Ms. Constand and her mother regarding offering to fund Ms. Constand's education (e.g., CW Designation of 9/29/05 Depo. at 207:4-209:5, 213:9-220:4), including explaining Mr. Cosby's concern for Ms. Constand and concern for his wife learning of his affair with Ms. Constand. Without the context of Mr. Cosby's testimony about the history of the consensual relationship, the Commonwealth's excerpts would potentially mislead the jury into believing that Mr. Cosby admitted some kind of wrongful conduct about a sexual encounter with a young woman he had no prior sexual relationship with, and that he sought to buy her silence for her claim of drugging.

- B. **The night of the alleged incident.** These excerpts provide context and explanation for the Commonwealth's designated testimony regarding Mr. Cosby's recollection of the night of the alleged incident (e.g., CW Designation of 9/29/05 Depo. at 233:11-235:9; 3/29/06 Depo. at 129:6-136:8), including explaining the full story of what happened on the night of the alleged incident. In addition, Mr. Cosby's full description of the night of the alleged incident will help explain his reaction to Ms. Constand's claim of improper conduct and communication with Ms. Constand and her mother regarding offering to fund Ms. Constand's

education (e.g., CW Designation of 9/29/05 Depo. at 207:4-209:5, 213:9-220:4), including explaining Mr. Cosby's surprise by Ms. Constand's claims and refusal to tell the truth about what happened on the night of the alleged incident. Without the context of Mr. Cosby's testimony providing his full description of what happened on the night of the alleged incident, the Commonwealth's excerpts would potentially mislead the jury into believing that Mr. Cosby admitted some kind of wrongful conduct on that night, and that he sought to buy her silence for her claim of drugging.

- C. **Mr. Cosby and Ms. Constand's interactions after the alleged incident, including Mr. Cosby's reaction and conduct related to the calls from Ms. Constand's mother, Gianna Constand.** These excerpts provide context and explanation for the Commonwealth's designated testimony regarding Mr. Cosby's reaction to Ms. Constand's claim of improper conduct and communication with Ms. Constand and her mother regarding offering to fund Ms. Constand's education (e.g., CW Designation of 9/29/05 Depo. at 207:4-209:5, 213:9-220:4), including providing context that Mr. Cosby and Ms. Constand had interacted after the alleged incident and Ms. Constand had never complained about it, which helps explain Mr. Cosby's surprise by Ms. Constand's claims and refusal to tell the truth about what happened on the night of the alleged incident. Without the context of Mr. Cosby's testimony providing his description of his interactions with Ms. Constand after the night of the alleged incident and on the calls with her and her mother, the Commonwealth's excerpts would

potentially mislead the jury into believing that Mr. Cosby admitted some kind of wrongful conduct on that night, and that he sought to buy her silence for her claim of drugging.

- D. **Mr. Cosby's possession of Quaaludes and providing of Quaaludes to women.** These excerpts provide context and explanation for the Commonwealth's designated testimony regarding Mr. Cosby's obtaining Quaaludes and providing them to Theresa Picking Serignese and other women (e.g., CW Designation of 9/29/05 Depo. at 58:11-59:8, 71:15-20; 3/28/06 Depo. at 137:3-6, 139:6-13, 153:18-154:3), including explanation that Mr. Cosby only had in his mind to give Quaaludes to one woman in relation to sex, that women knowingly and voluntarily took the Quaaludes he offered them, and that he no longer had Quaaludes in his possession during the time of the alleged incident. Without the context of Mr. Cosby's testimony explaining his obtaining, providing and possessing Quaaludes, the Commonwealth's excerpts would potentially mislead the jury into believing that Mr. Cosby obtained Quaaludes for the purpose of drugging women for sex without their consent, and that he could possibly have possessed and given Quaaludes to Ms. Constand at the time of the alleged incident.

The Pennsylvania Superior Court in *Commonwealth v. McClure* (Pa. Super. Ct. 2016) 144 A.3d 970, and the Federal Court of Appeals for the Seventh Circuit, in *U.S. v. Walker*, 652 F.2d 708, 713 (7th Cir. 1981), have provided relevant guidance on application of the fairness standard under Rule 106 in analogous circumstances.

In *McClure*, the Pennsylvania court found reversible error where the court introduced into evidence a select portion of the defendant's total statement involving an accident that had injured a child in her care. The Commonwealth's selected excerpts omitted the rest of the defendant's explanation concerning the circumstances of the accident. Relying on PRE 106, the appellant defendant argued that the Commonwealth's redactions transformed the content of her statement "from an explanation of an accident into an admission and/or confession and [defendant] not reporting that injury." 144 A.3d at 976. The Commonwealth had argued that the redacted portion of the defendant's statement included self-serving statements, which amounted to inadmissible hearsay when offered by the defendant. (See Commonwealth's brief, 2015 WL 11630737 (Pa. Super. 2015) at \*29-32. ) Instead, the Commonwealth argued, the defendant should have been forced to take the stand if she wanted to rebut the misleading inferences created by the prosecution's selection of certain portions of her statement. While the appellant's introduction of her own statement may have constituted hearsay if introduced unprovoked, the *McClure* court held that it was error not to allow her to introduce the entire statement where the Commonwealth had already introduced certain portions thereof. Having denied the defendant's request to introduce additional parts of the statement at trial, the court wrongly prevented the defendant from correcting any misleading impression created by the Commonwealth's selected excerpts, in violation of PRE 106. *McClure*, 144 A.3d at 976.

The federal appellate court, considered the identical Federal Rule of Evidence 106, similarly considered defendant's fairness concerns under Rule 106, and noted that the concerns are particularly amplified in criminal cases where, as here, the defendant has exercised his constitutional right not to testify. See *U.S. v. Walker*, 652 F.2d at 713. The court explained as follows:

In criminal cases where the defendant elects not to testify, as in the present case, more is at stake than the order of proof. If the Government is not required to submit all relevant portions of prior testimony which further explain selected parts which the Government has offered, the excluded portions may never be admitted. Thus there may be no “repair work” which could remedy the unfairness of a selective presentation later in the trial of such a case.

*Id.* at 713. Like here, the *Walker* defendant sought to admit portions of his prior testimony from an earlier trial on the same charges. Thus, as here, *Walker* addressed the unique circumstances where there is prior sworn testimony of a defendant about the same alleged incident at issue in the present trial, but the defendant exercises his Fifth Amendment right not to testify at the trial . The Court found reversible error because the excluded testimony was “relevant to specific elements of the Government’s proof, and explanatory of the excerpts already admitted” and “the Government’s incomplete presentation may have painted a distorted picture of Walker’s prior testimony which he was powerless to remedy without taking the stand.” *Id.* at 711, 713.

Fairness requires that Defendant be permitted to provide contextual excerpts from his deposition to explain the excerpts designated by the Commonwealth, and to avoid misleading the jury with a distorted presentation of his prior testimony. Defendant’s right against self-

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incrimination requires that he not be forced to take the stand to explain the misleading excerpts designated by the Commonwealth. As such, Defendant respectfully requests that the Court admit the designations offered by Defendant as set forth in the attached document.

Dated this 9th day of June, 2017

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# EXHIBIT A

**DISPUTED DESIGNATIONS OF DEPOSITION TESTIMONY OF  
WILLIAM H. COSBY JR.**

**Objections to Commonwealth Designations**

- 9/28/2005 Depo. at 180:21-24 – Lacks foundation, calls for speculation, relevance.
  - o If above objection overruled, include 181:1-182:13\*
- 9/28/2005 Depo. at 184:15-185:8 - Lacks foundation, calls for speculation, relevance.
- 9/29/2005 Depo. at 67:20-68:3 – No question pending; inadmissible as contrary to Commonwealth's stated intention to exclude affirmative references to other women accusing Mr. Cosby of sexual assault as relied upon in the Court's ruling dated April 28, 2017.
- 3/28/2006 Depo. at 141:4-141:7 - Exceeds scope of Court Order of April 28, 2017 regarding admissibility of Quaaludes testimony, relevance, asked and answered.
- 3/28/2006 Depo. at 164:5-11 – Inadmissible as contrary to Commonwealth's stated intention to exclude affirmative references to offering or providing money or educational funds to other women as relied upon in the Court's ruling dated April 28, 2017

**Disputed Defense Designations – Category of Admissibility  
(as referenced in letter to Judge O'Neill dated May 31, 2017)**

<b>Defendant's Designation</b>	<b>Category of Admissibility</b>
<b>September 28, 2005 Transcript</b>	
74:6-19	1
107:12-109:2	1, 2A
110:6-112:22	2A
113:19-115:3	2A
115:20-116:1	2A
116:18-21	2A
119:15-19	2A
123:4-124:16	2A
138:2-138:17	2A
139:1-4	2A
145:7-146:12	2A
149:12-150:5	2A
151:11-152:12	2A
152:19-155:20	2A
159:16-18	2A
160:4-6	2A
160:21-161:23	2A
163:24-164:20	2A
169:13-175:24	2A

181:1-182:13*	1 (conditional)
186:13-188:5	2A
188:18-189:13	2A
<b>Defendant's Designation</b>	<b>Category of Admissibility</b>
196:3-197:19	2A
197:22-198:20	2A
203:7-204:13	2A
207:7-210:18	2A
211:17-212:24	2A
215:24-216:6	
<b>September 29, 2005 Transcript</b>	
62:5-10	2D
71:21-23	2D
72:9-11	2D
72:21-73:1	2D
75:4-9	2D
174:11-16	1
175:3-176:2	1, 2A
<b>March 28, 2006 Transcript</b>	
135:1-6	2D
139:22-140:13	2D
142:15-22	2D
143:18-144:2	2D
144:10	2D
153:8-14	1, 2D
154:4-7	1, 2D
154:10	1, 2D
<b>March 29, 2006 Transcript</b>	
136:9-144:9	1, 2B
145:8-148:4	1, 2B
178:10-21	1, 2C
180:23-181:4	1, 2C
184:13-185:12	2C
186:15-19	2C
187:1-188:5	2B, 2C
189:14-24	2C
191:17-196:21	2C
205:22-208:23	1, 2C

**47612.013 - Cosby adv Commonwealth**

***Cosby, William H. - 09/28/2005***

***9/28/2005***

***Annotation Digest - All Annotations***

***Issue Filter: CW Designations, WHC Designations***

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/28/2005] Cosby, William H. - 09/28/2005  
Issue Filter: CW Designations, WHC Designations

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Pg: 34 Ln: 12 - 23

### Annotation:

34:12 Q. Do you ever recall a time  
13 when you were speaking to Andrea about  
14 herbal medicines?  
15 A. Yes.  
16 Q. When was that?  
17 A. When Andrea was at Temple  
18 University living in Philadelphia.  
19 Q. Where were you when this  
20 conversation occurred?  
21 A. Many places I believe.  
22 Sometimes we were together, sometimes  
23 we were on the phone.

Linked Issues: CW Designations

Pg: 58 Ln: 18 - Pg: 59 Ln: 18

### Annotation:

58:18 Q. Mr. Cosby, was there only  
19 one occasion on which you gave Andrea  
20 pills?  
21 A. Yes.  
22 Q. And there was only one  
23 occasion --  
24 A. Yes.  
59: 1 Q. Was there another occasion?  
2 A. I don't know now, but I'm  
3 saying yes.  
4 Q. You don't know if there was  
5 another occasion when you gave her  
6 pills?  
7 A. I don't know. Maybe there  
8 was a time I gave her a Vitamin C or  
9 something. I don't know. I know that  
10 this is the only time that I gave her  
11 pills.  
12 Q. When did that happen?  
13 A. At my home.  
14 Q. That's where. When did it  
15 happen?  
16 A. In the evening.  
17 Q. Do you know the month?  
18 A. No.

Linked Issues: CW Designations

Pg: 69 Ln: 17 - Pg: 70 Ln: 16

### Annotation:

69:17 Q. Did you remember what drug

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Pg: 69 Ln: 17 - Pg: 70 Ln: 16 continued...

### Annotation:

69:18       you gave her prior to your counsel  
19       saying Benadryl?  
20       A.       Yes.  
21       Q.       And so, was there a reason  
22       why you didn't answer?  
23       A.       Yes, I wanted to know what  
24       you hand in your hand.  
70: 1       Q.       What I have in my hand is  
2       the document that's in front of you  
3       that's been marked Cosby-1.  
4       A.       And if I could read it with  
5       my eyes, then I would be on the same  
6       page with you; is that correct?  
7       Q.       No. We have a right to test  
8       whether or not what you're going to  
9       say here today is different than what  
10       you said before. If I wanted you to  
11       read that statement, I would simply  
12       have you read it into the record.  
13       I want to know as you sit  
14       here today, do you recall giving her  
15       Benadryl?  
16       A.       Yes.

Linked Issues: CW Designations

Pg: 72 Ln: 24 - Pg: 74 Ln: 5

### Annotation:

72:24       Q.       Are you aware that there are  
73: 1       different types of Benadryl?  
2       A.       Yes.  
3       Q.       What particular type do you  
4       use?  
5       A.       Two.  
6       Q.       What are they?  
7       A.       One is straight Benadryl and  
8       there's one that's a decongestant,  
9       added with a decongestant.  
10       Q.       Do you know what color the  
11       pills are for the one that's the  
12       decongestant?  
13       A.       White and blue.  
14       Q.       And the one that's the  
15       straight Benadryl, what is the color  
16       of that?  
17       A.       White, I believe.  
18       Q.       When was the last time you  
19       purchased Benadryl or had someone  
20       purchase it for you?

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Pg: 72 Ln: 24 - Pg: 74 Ln: 5 continued...

### Annotation:

73:21 A. Maybe four months ago.  
22 Q. How often do you take it?  
23 A. I don't know how to say it,  
24 except there are times when I'm on the  
74: 1 road and a change in time zone and  
2 then I have to get up and be in  
3 another city at another time and I  
4 will take it to put myself in a  
5 position to sleep.

Linked Issues: CW Designations

Pg: 74 Ln: 6 - 19

### Annotation:

74: 6 Q. Do both the regular Benadryl  
7 and the decongestant do the same thing  
8 for you?  
9 A. Just about. I like the  
10 decongestant because if I'm in a hotel  
11 room when a temperature goes above or  
12 below, and the air conditioner, I  
13 can't do anything about it, I'll begin  
14 to have my allergies.  
15 Q. Do you treat for your  
16 allergies?  
17 A. Just that way. I treat for  
18 the allergies by getting out of the  
19 condition, the environment.

Linked Issues: WHC Designations

Pg: 79 Ln: 1 - Pg: 81 Ln: 18

### Annotation:

79: 1 something new.  
2 Q. Well, on January 26th when  
3 you gave the statement to the police,  
4 did you also give them one Benadryl,  
5 one green blood pressure pill, and one  
6 white pill Arnica Montana?  
7 A. Yes.  
8 Q. So, obviously in January,  
9 which is at least nine months ago, you  
10 had this prescription for blood  
11 pressure pills; is that correct?  
12 A. That's not a prescription.  
13 Q. What is that?  
14 A. Homeopathic.  
15 Q. The green blood pressure

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Issue Filter: CW Designations, WHC Designations

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Pg: 79 Ln: 1 - Pg: 81 Ln: 18 continued...

### Annotation:

79:16 pill is homeopathic?  
17 A. It is from my acupuncturist.  
18 Q. Who is that?  
19 A. Ming Jin, New York City.  
20 Q. Does that green blood  
21 pressure pill have a name?  
22 A. I don't know it.  
23 Q. Did you tell the police that  
24 you were taking a blood pressure  
80: 1 medication?  
2 A. I said it's for blood  
3 pressure.  
4 Q. How long had you been taking  
5 that medication?  
6 A. I've had those pills for --  
7 I've kept them, not the same ones, for  
8 about three years.  
9 Q. You're saying you've been  
10 taking these green pills for three  
11 years; am I understanding you  
12 correctly?  
13 A. When I want to. Let me  
14 clear this up for you. I also take  
15 them for time to sleep, to rest.  
16 Q. The green pill?  
17 A. Yes.  
18 Q. They also put you to sleep?  
19 A. They relax me.  
20 Q. And you don't know the name  
21 of those pills?  
22 A. No, but it's not a  
23 prescription. And you can call Ming  
24 Jin and she will be more than happy to  
81: 1 tell you what it is.  
2 Q. Are there any other  
3 medications that you take to sleep?  
4 A. Not that I can think of at  
5 this time. I'm pretty sure that those  
6 are the only ones.  
7 Q. What is this other white  
8 pill, this Arnica Montana?  
9 A. That is one of those  
10 homeopathic pills. Things go wrong,  
11 trauma, not mental, physical, I forget  
12 what had happened that I was -- why I  
13 was using it or what I went in for at  
14 the time, but sometimes, and it  
15 doesn't happen to me, sometimes you  
16 take it before you have surgery of  
17 some sort and then afterward and it's



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Pg: 79 Ln: 1 - Pg: 81 Ln: 18 continued...

### Annotation:

81:18        supposed to help with healing.

Linked Issues: CW Designations

Pg: 95 Ln: 24 - Pg: 97 Ln: 17

### Annotation:

95:24        Q.            I'm just that way. Now,  
96: 1        there was a time that you had a  
2        conversation with Andrea's mother on  
3        the telephone.  
4            Do you recall that?  
5        A.            Yes.  
6        Q.            It was about a two and a  
7        half hour conversation?  
8        A.            I don't know the time, but  
9        yes, I recall the phone call.  
10       Q.            Following that conversation  
11       you had certain people call Andrea and  
12       her mother; is that correct?  
13       A.            Yes.  
14       Q.            Was one of those people from  
15       the William Morris Agency?  
16       A.            Yes.  
17       Q.            Who was that?  
18       A.            His first name is Peter. I  
19       don't remember how to say his last  
20       name. It's with a W.  
21       Q.            How did that come about that  
22       he called Andrea?  
23       A.            Well, now wait. You said he  
24       called Andrea?  
97: 1       Q.            Or that he called Andrea's  
2       home.  
3       A.            I asked him to see if  
4       Andrea's mother could give an answer  
5       to whether or not they were willing to  
6       meet with me in Miami.  
7       Q.            Why did you ask this  
8       gentleman Peter to do that?  
9       A.            To eliminate any more  
10       conversations until I see them  
11       face-to-face.  
12       Q.            So, if I understand you  
13       correctly, you didn't want to have  
14       another telephone conversation with  
15       them unless you were in person; is  
16       that correct?  
17       A.            That is correct.

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Pg: 95 Ln: 24 - Pg: 97 Ln: 17 continued...

Linked Issues: CW Designations

Pg: 106 Ln: 18 - 21

### Annotation:

106:18 Q. When did you first develop a  
19 romantic interest in Andrea?  
20 A. Probably the first time I  
21 saw her.

Linked Issues: CW Designations

Pg: 107 Ln: 12 - Pg: 109 Ln: 7

### Annotation:

107:12 Q. And did you tell her that  
13 you had a romantic interest in her?  
14 A. No.  
15 Q. Why not?  
16 A. Can't do it right away.  
17 Q. Why?  
18 A. I don't know her. She  
19 doesn't know me.  
20 Q. Everybody knows you, Mr.  
21 Cosby.  
22 A. Not really.  
23 Q. What was the plan when you  
24 first saw her?  
108: 1 A. To meet her.  
2 Q. And then what?  
3 A. And then perhaps to have  
4 some moments with her that would have  
5 to do with some sort of friendship.  
6 Q. In other words, you had to  
7 build her trust up first?  
8 A. I think you're trying to put  
9 words in my mouth.  
10 Q. Oh, no. You can say no.  
11 A. If you're married, and I'm  
12 sure you are, I'm sure you didn't, the  
13 man you met, want to build up his  
14 trust in you.  
15 Q. I didn't? I did not want  
16 to?  
17 A. To build up his trust in  
18 you, that doesn't go. You want to  
19 meet someone to get to know them.  
20 Q. Well, you're married,  
21 correct?  
22 A. 41 years.  
23 Q. You certainly didn't want

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Pg: 107 Ln: 12 - Pg: 109 Ln: 7 continued...

### Annotation:

108:24 your wife to know about this  
109: 1 relationship, did you?  
2 A. No.

Linked Issues: WHC Designations

Pg: 109 Ln: 8 - 15

### Annotation:

109: 8 Q. So, you're just talking  
9 about the initial time you look at  
10 her, you're thinking that you have a  
11 romantic interest in her?  
12 A. She's good looking.  
13 Q. What was your plan to act on  
14 that romantic interest?  
15 A. Sort of whatever happens.

Linked Issues: CW Designations

Pg: 110 Ln: 6 - Pg: 112 Ln: 22

### Annotation:

110: 6 Q. What do you do then?  
7 A. We talk a lot.  
8 Q. What do you mean you talk a  
9 lot? At that particular moment?  
10 A. At that time in the  
11 gymnasium, we go back and forth in  
12 conversation.  
13 Q. How did she react to you?  
14 A. Very, very favorably.  
15 Q. Do you remember anything she  
16 said?  
17 A. Yes.  
18 Q. What did she say?  
19 A. She said something about her  
20 back being, not necessarily out, but  
21 off. And we went around, escorted  
22 with another female, I made sure of  
23 that, I made sure of that, went into  
24 the dressing room of the women's  
111: 1 basketball team and I gave her a  
2 method that I knew of, which is a  
3 layman's method, of how to make an

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth

Transcript: [9/28/2005] Cosby, William H. - 09/28/2005

Issue Filter: CW Designations, WHC Designations

---

Pg: 110 Ln: 6 - Pg: 112 Ln: 22 continued...

### Annotation:

111: 4 adjustment. And it's one where she  
5 gets on my back with her back and her  
6 arms come under mine and I grab her  
7 and I say, now you relax. And her  
8 legs are hanging out in the air and I  
9 go up and I come down and I give that  
10 jolt and it's supposed to line the  
11 vertebrae. And I gave her two of  
12 those while we were talking. And I  
13 believe that the talking back and  
14 forth was a feeling out of whether or  
15 not you like a person.  
16 Q. You said you made sure there  
17 was another female there.  
18 Who was that other female?  
19 A. I have no idea. I don't  
20 remember who the other female was.  
21 Q. Why did you make sure there  
22 was another female there?  
23 A. Because I don't know her.  
24 Q. Meaning Andrea?  
112: 1 A. Yes. And I don't want to go  
2 into a locker room in the Liacouras  
3 Center and have a whole bunch of  
4 people talking about her and how she  
5 went in with a man or about me and I  
6 went in with her. This is where she  
7 works.  
8 Q. Did you give her your phone  
9 number?  
10 A. Yes.  
11 Q. What phone number did you  
12 give her?  
13 A. The Philadelphia home  
14 number.  
15 Q. When she would call that  
16 number, is there an answering machine  
17 or an answering service?  
18 A. No.  
19 Q. So, why did you give her  
20 that particular number?  
21 A. Because it's in  
22 Philadelphia.

Linked Issues: WHC Designations

Pg: 113 Ln: 19 - Pg: 115 Ln: 3

### Annotation:

113:19 Q. Do you have a cell phone?

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/28/2005] Cosby, William H. - 09/28/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 113 Ln: 19 - Pg: 115 Ln: 3 continued...

### Annotation:

113:20 A. No.  
21 Q. Now, getting back to this  
22 first encounter with Andrea.  
23 Did you make any  
24 arrangements to see her again?  
114: 1 A. Yes.  
2 Q. What were those  
3 arrangements?  
4 A. I have no idea when the next  
5 one was after that. I have no idea.  
6 Q. Did you at any time express  
7 to her that you wanted to have a  
8 romantic relationship in that first  
9 meeting?  
10 A. No.  
11 Q. Did you call her after that  
12 first meeting?  
13 A. Sure.  
14 Q. How often?  
15 A. I don't know.  
16 Q. Was it more than once?  
17 A. Yes, but I don't know.  
18 Q. And you wouldn't be able to  
19 tell us what phones you were using; is  
20 that correct?  
21 A. I can tell you that it was  
22 maybe the Philadelphia house if I was  
23 in Philadelphia.  
24 Q. Do you know of any records  
115: 1 of the number of calls that you've  
2 made to Andrea?  
3 A. No.

Linked Issues: WHC Designations

Pg: 115 Ln: 20 - Pg: 116 Ln: 1

### Annotation:

115:20 Q. Over the course of the time  
21 that you knew her, would you estimate  
22 that you called her more than she  
23 called you?  
24 A. In honesty, she's called me  
116: 1 more than I've called her.

Linked Issues: WHC Designations

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/28/2005] Cosby, William H. - 09/28/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 116 Ln: 18 - 21

### Annotation:

116:18 Q. Was it always that she  
19 called you more than you called her in  
20 the course of your relationship?  
21 A. Yes.

Linked Issues: WHC Designations

Pg: 119 Ln: 15 - 19

### Annotation:

119:15 Q. Were you more attentive to  
16 Andrea in the beginning of your  
17 relationship than you were toward the  
18 end?  
19 A. Yes.

Linked Issues: WHC Designations

Pg: 123 Ln: 4 - Pg: 124 Ln: 16

### Annotation:

123: 4 Q. Right, it does. I want to  
5 understand the progression of your  
6 relationship. Tell me about that.  
7 A. Andrea wanted to do things  
8 and be different things. Example --  
9 Q. Are you avoiding my  
10 question? I'll let you answer, then  
11 we'll read it back.  
12 A. Yes, because you're going to  
13 be in trouble when you hear -- you  
14 said I'm interested.  
15 Q. Go ahead.  
16 A. This is like being at home  
17 now, cutting off my speeches. Andrea  
18 told me, this is over the phone, not  
19 in person, about some sort of  
20 invention or something that she had,  
21 not an invention but an idea she had  
22 for a bus and that she was with two  
23 men who also were interested in her  
24 idea and also had ideas for the bus.  
124: 1 Andrea talked to me about her idea and  
2 I said to Andrea. This is wonderful  
3 but what I want you to do is I want  
4 you to get a lawyer because while  
5 you're just sitting there between  
6 these two guys and talking, these guys  
7 could get up and go find the money and  
8 if they wanted to, you're out of it.

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/28/2005] Cosby, William H. - 09/28/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 123 Ln: 4 - Pg: 124 Ln: 16 continued...

### Annotation:

124: 9 I talked to Andrea twice  
10 about this. And to me this was really  
11 something that I believed would show a  
12 sign that Andrea had the spirit to  
13 make a move on something that when she  
14 talked to me she was very, very  
15 excited about, but she did not do it.  
16 And to me that's disappointing.

Linked Issues: WHC Designations

Pg: 138 Ln: 2 - 17

### Annotation:

138: 2 Q. Had she been to the house  
3 with other people before that occasion  
4 when she was there by herself with  
5 you?  
6 A. I believe so.  
7 Q. Did you observe her on those  
8 occasions when you invited her to the  
9 house when you had other guests?  
10 A. Yes.  
11 Q. And did she interact  
12 appropriately with the other guests?  
13 A. Yes.  
14 Q. Who else was at your house  
15 with dinner parties when Andrea was  
16 there?  
17 A. Educational people.

Linked Issues: WHC Designations

Pg: 139 Ln: 1 - 4

### Annotation:

139: 1 who were they?  
2 A. The president of Swarthmore,  
3 the dean of the School of Education at  
4 the University of Pennsylvania.

Linked Issues: WHC Designations

Pg: 145 Ln: 7 - Pg: 146 Ln: 12

### Annotation:

145: 7 Q. How soon after that dinner  
8 that Andrea attended did she come to  
9 your house for dinner without any  
10 other guests?

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/28/2005] Cosby, William H. - 09/28/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 145 Ln: 7 - Pg: 146 Ln: 12 continued...

### Annotation:

145:11 A. I don't know.  
12 Q. What happened on the first  
13 occasion that she came to your house  
14 without any other guests?  
15 A. Chef fixed her -- I think I  
16 called and asked her what she wanted.  
17 It was in that conversation that I  
18 also found out through Andrea that she  
19 was someplace -- when I talked to her  
20 she was someplace -- this is not the  
21 day of, this is some day when I'm  
22 talking to her. She was at I guess  
23 some affair or maybe a bar, that she  
24 had a drink that she was very fond of  
146: 1 she said. And I said, what is it?  
2 And she said, Cognac with either a  
3 twist of lemon or a lemon peel. And I  
4 said, all right. And I made sure to  
5 have the Cognac. I also have a wine  
6 cellar. A bottle of wine, I don't  
7 remember what wine it was, and chef  
8 cooked for her and we lit a fire and  
9 sat in the living room. She ate in  
10 the living room. There are two sofas  
11 facing each other and in between there  
12 are sort of tables.

Linked Issues: WHC Designations

Pg: 149 Ln: 12 - Pg: 150 Ln: 5

### Annotation:

149:12 Q. What did you do?  
13 A. Twice during that dinner I  
14 asked Andrea to stand up. She did.  
15 And we walked from the two sofas  
16 around to the back porch. It's not a  
17 solarium, it's the back porch or side  
18 porch where Andrea is standing like  
19 this, because I turned her this way.  
20 And the reason why I've done this is  
21 because from the dining room, which  
22 comes from the kitchen, the kitchen,  
23 dining room, there's a shot straight  
24 back to the back, this living room  
150: 1 we're at with the fireplace. And I  
2 don't want the chef to come out and  
3 see if we are in some kind of  
4 position. So I take her or she comes  
5 with me.



## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/28/2005] Cosby, William H. - 09/28/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 149 Ln: 12 - Pg: 150 Ln: 5 continued...

Linked Issues: WHC Designations

Pg: 151 Ln: 11 - Pg: 152 Ln: 12

### Annotation:

151:11 that to anyone. Okay. So, now, we  
12 are standing there and we're talking,  
13 I take my hand, put it to her face  
14 like this. She stands there like this  
15 and I take her hair and I pull it back  
16 and I have her face like this and I'm  
17 talking to her. And she's like that.  
18 And I talked to her about relaxing,  
19 being strong. And I said to her, come  
20 in, meaning her body.  
21 Q. To come closer to you?  
22 A. She's already in close. I  
23 said, come in. And she did. She did  
24 not pick her arms up to touch me, she  
152: 1 didn't hug me, I didn't ask her to.  
2 And I put her head back and I said,  
3 just think about yourself and you have  
4 to open your mind. And then I took  
5 her by the hand and we went back  
6 around and sat with the wine. And  
7 then I did that twice that night  
8 looking for acceptance or rejection.  
9 It was shortly thereafter  
10 during whatever we talked about that I  
11 escorted her out to the kitchen area  
12 and she got in her car and went home.

Linked Issues: WHC Designations

Pg: 152 Ln: 19 - Pg: 155 Ln: 20

### Annotation:

152:19 Q. How close was she to you,  
20 about 6 inches or closer?  
21 A. When I said move in, she's  
22 4 inches away.  
23 Q. You had your hands on both  
24 sides of her face pulling back her  
153: 1 hair?  
2 A. Yes.  
3 Q. But you didn't attempt to  
4 kiss her?  
5 A. No.  
6 Q. Why not?  
7 A. I'm looking for permission.  
8 Q. And you didn't get it?

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth

Transcript: [9/28/2005] Cosby, William H. - 09/28/2005

Issue Filter: CW Designations, WHC Designations

---

Pg: 152 Ln: 19 - Pg: 155 Ln: 20 continued...

### Annotation:

153: 9 A. Not yet. I'm not looking  
10 for permission to kiss. I'm just  
11 looking for permission. She is --  
12 Okay. And I didn't get it. I didn't  
13 see anything or anybody that looked  
14 like they wanted to kiss, but I hadn't  
15 yet really and truly put her in that  
16 position as of yet. Her body is not  
17 moving away from where she is. And  
18 when I said, move closer, move in, she  
19 did.  
20 Q. What were you looking for  
21 permission to do?  
22 A. To be allowed to hug, but  
23 not like, hey, how are you doing, pal.  
24 Like this will be nice. But I'm also  
154: 1 looking for, no, please don't do that.  
2 Q. That night she did not  
3 object to your touching her face?  
4 A. Verbally she did not, nor  
5 did I see any sign of don't do that  
6 anymore, because the second time when  
7 we went back, I did the same thing and  
8 she came in even closer and our bodies  
9 touched.  
10 Q. Where did your bodies touch?  
11 A. On the bodies.  
12 Q. What do you mean? You were  
13 both touching all parts of your  
14 bodies?  
15 A. Our bodies touched up. We  
16 didn't hand touch.  
17 Q. Tell me about that second  
18 time. You said you did the same  
19 thing.  
20 A. Same picture as the first.  
21 I say, move in and she moves in and  
22 our bodies touch.  
23 Q. What part of your body  
24 touched hers?  
155: 1 A. Shoulders, stomach, waist,  
2 thighs.  
3 Q. How did that come about the  
4 second time?  
5 A. I don't understand what you  
6 mean.  
7 Q. Well, she didn't walk in the  
8 door and you say, come on, let's do  
9 this thing with your face again, did  
10 she?

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/28/2005] Cosby, William H. - 09/28/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 152 Ln: 19 - Pg: 155 Ln: 20 continued...

### Annotation:

155:11 A. I think I gave that to you  
12 already. She sat down.  
13 Q. I'm talking the second time.  
14 A. She sat down. We went back  
15 in. I said we did this twice.  
16 Q. I thought you meant on  
17 another occasion. I misunderstood.  
18 A. We sat down the same night,  
19 talk, talk, talk. I said, come here,  
20 get up and she comes.

Linked Issues: WHC Designations

Pg: 159 Ln: 8 - 15

### Annotation:

159: 8 Q. Every time she came to your  
9 house, it was at your initiation?  
10 A. Exactly.  
11 Q. Now, let's go to --  
12 A. And I don't think Andrea  
13 ever called me and said, can I come up  
14 to your house. I'm not sure. But I'm  
15 just adding to it.

Linked Issues: CW Designations

Pg: 159 Ln: 16 - 18

### Annotation:

159:16 Q. Now, you told the police  
17 that you believe that there were three  
18 sexual contacts that you had with her.

Linked Issues: WHC Designations

Pg: 160 Ln: 4 - 6

### Annotation:

160: 4 What do you believe were the  
5 three contacts of a sexual nature that  
6 you had with Andrea?

Linked Issues: WHC Designations

Pg: 160 Ln: 21 - Pg: 161 Ln: 23

### Annotation:

160:21 Q. Can you tell me how many  
22 times?

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth

Transcript: [9/28/2005] Cosby, William H. - 09/28/2005

Issue Filter: CW Designations, WHC Designations

---

Pg: 160 Ln: 21 - Pg: 161 Ln: 23 continued...

### Annotation:

160:23 A. I may be mistaken in that  
24 count. I've given you all I remember  
161: 1 in my house.  
2 Q. Do you call that time that  
3 you just talked about where you put  
4 your hands on her face, do you  
5 consider that to be a sexual contact?  
6 A. Yes.  
7 Q. When was the next time you  
8 had a sexual contact? I understand  
9 you don't know the exact date. Do you  
10 have an idea?  
11 A. The second time.  
12 Q. A month, two months?  
13 A. I don't know.  
14 Q. So, tell me about the second  
15 time.  
16 A. I don't know how, but she  
17 comes to the house. She's invited.  
18 There's chef and there's dinner.  
19 Q. Do you sit down and have  
20 dinner with her this time?  
21 A. I'm not sure. I may have.  
22 I don't know if there's fire, but I  
23 know that chef is gone.

Linked Issues: WHC Designations

Pg: 163 Ln: 24 - Pg: 164 Ln: 20

### Annotation:

163:24 Q. And what happens next?  
164: 1 A. I come over to Andrea's side  
2 and I begin to test in terms of  
3 touching. Andrea has an outfit that  
4 has a bare midriff, so to speak, I  
5 could be wrong, it could be just  
6 something that drapes, but I've also  
7 prior to this touched Andrea's behind  
8 a couple of times.  
9 These were not sexual  
10 touches. But conversation was that  
11 Andrea said to me she wanted to do  
12 something about her -- I say behind,  
13 she says butt. She wanted to tighten  
14 up her butt and have a great butt, et  
15 cetera, et cetera. We were able to  
16 talk about exercises and things like  
17 that. So, Andrea is also a ball  
18 player. And I'm sitting there and I

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/28/2005] Cosby, William H. - 09/28/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 163 Ln: 24 - Pg: 164 Ln: 20 continued...

### Annotation:

164:19 am sitting next to her. Food is all  
20 gone. Everything is gone.

Linked Issues: WHC Designations

Pg: 169 Ln: 13 - Pg: 175 Ln: 24

### Annotation:

169:13 Q. Let's get back to where you  
14 were before we diverted ourselves,  
15 which I believe you were going to  
16 explain to us the second --  
17 A. Now, I'm sitting with her  
18 and I'm rubbing the middle, which is  
19 skin now, just above the trousers.  
20 And without talking I'm asking can I  
21 go farther.  
22 Q. I'm sorry, you didn't say  
23 can I go farther?  
24 A. No, I didn't verbally say  
170: 1 it.  
2 Q. But you're asking that of  
3 yourself?  
4 A. I'm giving Andrea time to  
5 say yes or no about an area that is  
6 right there in the question zone.  
7 Q. So, you do believe there's  
8 certain parts of the body that would  
9 be in the question zone?  
10 A. I asked for permission when  
11 I was on the porch.  
12 Q. When did you do that?  
13 A. When I touched her face.  
14 Q. So, you're saying --  
15 A. And I asked her to come  
16 forward.  
17 Q. So, you're not telling us  
18 that you verbally asked her for  
19 permission?  
20 A. No. I've been saying that  
21 to the woman who's writing this up  
22 that I didn't. I didn't say it  
23 verbally, I said. The action is my  
24 hand on her midriff, which is skin.  
171: 1 I'm not lifting any clothing up. This  
2 is -- I don't remember fully what it  
3 is, but it's there and I can feel. I  
4 got her skin and it's just above the  
5 hand and it's just above where you can  
6 go under the pants.

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/28/2005] Cosby, William H. - 09/28/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 169 Ln: 13 - Pg: 175 Ln: 24 continued...

### Annotation:

171: 7 Q. Then what happens?  
8 A. I don't hear her say  
9 anything. And I don't feel her say  
10 anything. And so I continue and I go  
11 into the area that is somewhere  
12 between permission and rejection. I  
13 am not stopped.  
14 Q. And what area would that be?  
15 A. I'm going down. There's a  
16 certain area with a woman, which I  
17 imagine if she doesn't want she will  
18 stop you there and that's around the  
19 hairline so to speak where pubic hair  
20 is growing. And I'm moving my fingers  
21 gently.  
22 Q. And did you get to that  
23 area?  
24 A. She did not stop me and I  
172: 1 want to go.  
2 Q. Are you saying that you  
3 touched her pubic hair at that point?  
4 A. Yes.  
5 Q. And then what happened?  
6 A. I stroked taking care not to  
7 get to the orifice yet because I still  
8 want to check and see if this is  
9 permission. I go down, this is with  
10 my right hand, I'm down inside of her  
11 pants. And I reach the tip of the  
12 orifice and I begin to move in that  
13 area digitally. This goes on for a  
14 minute or two. Andrea then takes her  
15 left hand, my penis is dressed right.  
16 She vigorously begins to rub my penis.  
17 I have an erection.  
18 This continues for maybe  
19 six, seven minutes. I thought I heard  
20 her moan. I'm not sure. I was happy  
21 feeling that she had an orgasm. I  
22 took my hand out. I don't remember if  
23 there was buttoning or zipping or  
24 whatever. We stood up. I said, let's  
173: 1 go home or come on, not let's. We go  
2 up two steps, one, two, we walk in the  
3 hallway, one, two, we stop just before  
4 the bathroom. I feel a glow. I feel  
5 that Andrea has a glow about our  
6 sexual moment.  
7 She is now facing me and  
8 facing the living room. I lift up the

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/28/2005] Cosby, William H. - 09/28/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 169 Ln: 13 - Pg: 175 Ln: 24 continued...

### Annotation:

173: 9 piece she has, I lift up her bra.  
10 Andrea has very flat breasts. That's  
11 why I can lift these up. I put my  
12 mouth to Andrea's breast sucking for  
13 about four seconds. And the reason  
14 why it's four seconds is because  
15 Andrea said to me either one of two  
16 words, stop, no. I pull back. I put  
17 it down. And I take her, still  
18 feeling the glow, still feeling that  
19 the two of us are warm, not lovers,  
20 but warm. We've exchanged some kind  
21 of sexual feelings.  
22 I walk her out. She does  
23 not look angry. She does not say to  
24 me, don't ever do that again. She  
174: 1 doesn't walk out with an attitude of a  
2 huff, because I think that I'm a  
3 pretty decent reader of people and  
4 their emotions in these romantic  
5 sexual things, whatever you want to  
6 call them. And she went out the door  
7 and went to the car. I said to  
8 Andrea, call me when you get home.  
9 Q. Did she call you when she  
10 got home?  
11 A. No.  
12 Q. Did you call her?  
13 A. No.  
14 Q. Why not?  
15 A. Because I went to sleep. I  
16 don't know how long it takes for her  
17 to get home, but I know that she did  
18 not call me and I chastised her for  
19 that. And she said something like she  
20 had forgotten.  
21 Q. Now, when she had her hand  
22 on your penis, was that under your  
23 clothing?  
24 A. No.  
175: 1 Q. So, what clothing were you  
2 wearing?  
3 A. I don't really remember.  
4 Q. Did you ejaculate?  
5 A. No.  
6 Q. Was there any reason why you  
7 didn't ask her to bring to you climax?  
8 A. (Witness gestures.)  
9 Q. What was that?  
10 A. Because I thought she had

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth

Transcript: [9/28/2005] Cosby, William H. - 09/28/2005

Issue Filter: CW Designations, WHC Designations

---

Pg: 169 Ln: 13 - Pg: 175 Ln: 24 continued...

### Annotation:

175:11 and that was fine for me.  
12 Q. You're telling us that she  
13 permitted to you put her hand inside  
14 her vagina; is that correct?  
15 A. Yes.  
16 Q. But she didn't want to  
17 permit you to -- she did not want you  
18 to suck her breast?  
19 A. Yes. We're on the way out  
20 the door and she said, stop, and I  
21 stopped. It wasn't an angry stop.  
22 She said, stop. It wasn't a hostile,  
23 she didn't push me out of the way.  
24 She said, stop.

Linked Issues: WHC Designations

Pg: 180 Ln: 21 - 24

### Annotation:

180:21 Q. Is it not also in your best  
22 interest that the public not be aware  
23 of these sexual encounters?  
24 A. That is correct.

Linked Issues: CW Designations

Pg: 181 Ln: 1 - Pg: 182 Ln: 13

### Annotation:

181: 1 Q. And it certainly is in your  
2 best interest that the encounter that  
3 you had with Andrea not be viewed as  
4 one in which you gave her a date rape  
5 drug?  
6 MR. O'CONNOR: Now you're  
7 moving to the Benadryl night?  
8 THE WITNESS: She went to  
9 date rape drug. Date rape drug is not  
10 Benadryl.  
11 BY MS. TROIANI:  
12 Q. Do you agree with me it  
13 would be in your best interest?  
14 A. You'll have to rephrase that  
15 for me, because Andrea -- when I  
16 talked to Andrea's mother on the  
17 telephone and her mother said, what  
18 did you give Andrea? And I don't know  
19 if Andrea was on the phone at that  
20 time. And then we talked about the



## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/28/2005] Cosby, William H. - 09/28/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 181 Ln: 1 - Pg: 182 Ln: 13 continued...

### Annotation:

181:21 pills. But I remember saying to the  
22 mother early in the conversation, are  
23 you accusing me of giving her a -- and  
24 the mother said, no, I am not accusing  
182: 1 you of that. Okay.  
2 Q. Did you intentionally mean  
3 to stop, or did she say date rape  
4 drug?  
5 A. She said date rape drug.  
6 I'm not accusing you of giving her a  
7 date rape drug. I'm asking you what  
8 you gave her because Andrea got sick  
9 and Andrea is sick and she's been  
10 sick.  
11 Q. Did you tell her you'd have  
12 to check the prescription bottle?  
13 A. No.

Linked Issues: WHC Designations

Pg: 184 Ln: 15 - Pg: 185 Ln: 8

### Annotation:

184:15 Q. Do you agree with me that  
16 it's in your best interest that the  
17 public believe that Andrea consented  
18 to these acts?  
19 A. Yes.  
20 Q. Do you think there would be  
21 a financial consequence to you if the  
22 public believed that you gave Andrea a  
23 drug that took away her ability to  
24 consent and then had sexual contact  
185: 1 with her?  
2 A. Yes.  
3 Q. Do you also believe that  
4 there would be a financial consequence  
5 to you if the public believed that the  
6 drug you gave her was something other  
7 than Benadryl?  
8 A. Yes.

Linked Issues: CW Designations

Pg: 186 Ln: 13 - Pg: 188 Ln: 5

### Annotation:

186:13 Q. At any time on either the  
14 first two occasions that Andrea was at  
15 your house, did she appear to you to

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/28/2005] Cosby, William H. - 09/28/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 186 Ln: 13 - Pg: 188 Ln: 5 continued...

### Annotation:

186:16 be under the influence of any alcohol?  
17 A. No.  
18 Q. So, you believe that she was  
19 fully aware of what you were doing on  
20 the second occasion that you described  
21 to us?  
22 A. Yes.  
23 Q. Do you know what she had  
24 drank that night?  
187: 1 A. Yes.  
2 Q. What was it?  
3 A. I think Cognac and red wine.  
4 Q. Do you know how much?  
5 A. There's a big snifter. I  
6 think there's a big snifter. And so  
7 she would have consumed a shot in each  
8 snifter, what would be called a shot.  
9 Q. A shot in each snifter, is  
10 there more than one?  
11 A. Two snifters and a shot in  
12 each one.  
13 Q. And how much red wine?  
14 A. Not as much as two glasses.  
15 Q. Now, when was the next  
16 sexual encounter that you had with  
17 her?  
18 A. It was the night of the  
19 alleged inappropriate touching.  
20 Q. Before we get to that. Was  
21 that night before or after the trip to  
22 Foxwoods?  
23 A. I cannot remember. I would  
24 need help.  
188: 1 Q. I think we've more or less  
2 established that the trip to Foxwoods  
3 was November 8, 2003.  
4 Does that help you recall?  
5 A. If that's correct, okay.

Linked Issues: WHC Designations

Pg: 188 Ln: 18 - Pg: 189 Ln: 13

### Annotation:

188:18 How did it come about that  
19 she went to Foxwoods?  
20 A. I invited her.  
21 Q. Why?  
22 A. I wanted her to meet Jim  
23 Cantone who was the entertainment

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth

Transcript: [9/28/2005] Cosby, William H. - 09/28/2005

Issue Filter: CW Designations, WHC Designations

---

Pg: 188 Ln: 18 - Pg: 189 Ln: 13 continued...

### Annotation:

188:24 president of Foxwoods.  
189: 1 Q. How long had you known Mr.  
2 Cantone?  
3 A. Maybe three years.  
4 Q. Did you know him when he was  
5 at Atlantic City?  
6 A. Yes. So that would make it  
7 even longer. I'm sorry. Maybe before  
8 Atlantic City.  
9 Q. Is his name Tom?  
10 A. Tom Cantone, yes.  
11 Q. Where was Mr. Cantone when  
12 he was in Atlantic City?  
13 A. I don't remember.

Linked Issues: WHC Designations

Pg: 196 Ln: 3 - Pg: 197 Ln: 19

### Annotation:

196: 3 Q. Now, getting back to  
4 Foxwoods. You think that you were  
5 performing that night; is that why you  
6 think --  
7 A. I was, yes.  
8 Q. Do you know if Andrea came  
9 to see your show?  
10 A. I don't think Andrea saw the  
11 show.  
12 Q. How late did the show go, do  
13 you know?  
14 A. I don't know.  
15 Q. Was there any time --  
16 A. There are two shows I  
17 believe.  
18 Q. Two performances in one  
19 night?  
20 A. Two performances.  
21 Q. At any time were you alone  
22 with Andrea at Foxwoods?  
23 A. Yes.  
24 Q. When was that?  
197: 1 A. After I finished my show.  
2 Q. The second show?  
3 A. The second show, yes, the  
4 night is over.  
5 Q. How did it come about that  
6 you were alone with her?  
7 A. I came up to my suite and I  
8 believe that Tom and Andrea were

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/28/2005] Cosby, William H. - 09/28/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 196 Ln: 3 - Pg: 197 Ln: 19 continued...

### Annotation:

197: 9 leaving or Tom was leaving and then  
10 Andrea. We talked, Tom and I talked  
11 and maybe Tom -- I don't know how it  
12 got to Tom being there that late, but  
13 Tom left and Andrea left and Andrea  
14 went down to her room.  
15 Q. Then what happened?  
16 A. I called her.  
17 Q. Why did you call her?  
18 A. Because I wanted to see if  
19 she wanted to come up to my room.

Linked Issues: WHC Designations

Pg: 197 Ln: 22 - Pg: 198 Ln: 20

### Annotation:

197:22 Q. What was in your mind when  
23 you called her to come up to your  
24 room?  
198: 1 A. What was on my mind was the  
2 same thing as the night before, the  
3 last time we were together.  
4 Q. You wanted to engage in  
5 sexual contact with her?  
6 A. Yes.  
7 Q. Did you want to engage in  
8 intercourse with her?  
9 A. No.  
10 Q. Why not?  
11 A. It's very, very special.  
12 It's not play.  
13 Q. By it, what do you mean?  
14 A. What were we talking about?  
15 Q. I'm talking about sexual  
16 intercourse and I want to know what  
17 you're talking about.  
18 A. Right. And you asked me why  
19 I didn't. And I said it's very, very  
20 special.

Linked Issues: WHC Designations

Pg: 203 Ln: 7 - Pg: 204 Ln: 13

### Annotation:

203: 7 Q. Was it your purpose to have  
8 her come up to your room so you could  
9 pet with her?  
10 A. Yes, continuation of the

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/28/2005] Cosby, William H. - 09/28/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 203 Ln: 7 - Pg: 204 Ln: 13 continued...

### Annotation:

203:11 last time.  
12 Q. And what happened when she  
13 got to the room?  
14 A. At some point shortly after  
15 her arrival, the two of us, on top of  
16 the covers, I put my arms -- she's  
17 horizontal and we are together. I  
18 don't remember what I had on. She had  
19 on all of her clothing and her boots.  
20 She's in the middle of the bed. And  
21 I'm holding her. She is not in a  
22 semi-sitting position, she is  
23 horizontal. We are in front of  
24 pillows. And we talked a little bit.  
204: 1 And I just wanted to hold  
2 her and get sort of a comforting  
3 feeling with her. Just quiet and  
4 comforting. This must have lasted I  
5 guess 15 minutes. And I said, okay.  
6 We talked on the way to the door about  
7 what time are you leaving. And I  
8 think, I don't know, but I think we  
9 had arranged for some croissants for  
10 breakfast for her.  
11 Q. How did she get into the  
12 bedroom?  
13 A. She walked.

Linked Issues: WHC Designations

Pg: 207 Ln: 7 - Pg: 210 Ln: 18

### Annotation:

207: 7 Q. What happens after you  
8 answer the door?  
9 A. She comes in I guess.  
10 Q. What happens next? What do  
11 you remember?  
12 A. I remember that she came in  
13 and got on the bed with me.  
14 Q. Now, is this a suite that  
15 has a door from the bedroom into the  
16 hallway?  
17 A. No.  
18 Q. She came into the area of  
19 the suite that's more like the living  
20 room area, correct?  
21 A. Yes.  
22 Q. Did you say anything to her  
23 that caused her instead of staying in

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth

Transcript: [9/28/2005] Cosby, William H. - 09/28/2005

Issue Filter: CW Designations, WHC Designations

---

Pg: 207 Ln: 7 - Pg: 210 Ln: 18 continued...

### Annotation:

207:24 the living room area to go into the  
208: 1 bedroom area?  
2 A. Yes.  
3 Q. What did you say?  
4 A. Go into the bedroom.  
5 Q. And were you unpacking?  
6 A. I might have been. I'm not  
7 sure.  
8 Q. Did you say to her, I'm  
9 unpacking, come into the bedroom?  
10 A. I'm not sure.  
11 Q. When she got into the  
12 bedroom, what did she do?  
13 A. The only thing I remember  
14 from all of that, I don't remember the  
15 chitter-chatter or whether I'm  
16 unpacking. I know that we got on the  
17 bed, the TV was on and I held her in  
18 at least my right arm and we may have  
19 talked ever so gently about whatever.  
20 Q. Did she get on the bed  
21 first?  
22 A. I don't know. I don't  
23 remember.  
24 Q. You said you were in that  
209: 1 position for about 15 minutes?  
2 A. Yes.  
3 Q. Then you said to her, okay,  
4 it was time for her to go?  
5 A. Yes.  
6 Q. While you were on the bed,  
7 you were in a comfortable feeling?  
8 A. Yes.  
9 Q. Were you comforting her or  
10 was she comforting you?  
11 A. Comforting her, comforting  
12 myself. It felt nice.  
13 Q. Did she indicate to you any  
14 reason why she needed to be comforted?  
15 A. No.  
16 Q. Did you have an erection?  
17 A. No.  
18 Q. At any point while you were  
19 on the bed, did you have an erection?  
20 A. No.  
21 Q. At any point while you were  
22 on the bed, did you touch her in any  
23 private area?  
24 A. No.  
210: 1 Q. Did she touch you in any

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/28/2005] Cosby, William H. - 09/28/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 207 Ln: 7 - Pg: 210 Ln: 18 continued...

### Annotation:

210: 2 private area?  
3 A. No.  
4 Q. Now, you said to us that you  
5 called her to come to the room for  
6 sexual contact.  
7 Why didn't you have sexual  
8 contact with her?  
9 A. Because when she came in and  
10 she got on the bed, I really didn't  
11 feel -- it didn't feel like it was  
12 good to come onto her for that.  
13 Q. Why not?  
14 A. She's got her boots on on  
15 the bed.  
16 Q. Was that a turn off to you?  
17 A. It's not a sign that you  
18 want to be comfortable.

Linked Issues: WHC Designations

Pg: 211 Ln: 17 - Pg: 212 Ln: 24

### Annotation:

211:17 Q. What were you looking for?  
18 A. Reason to ask her to take  
19 her boots off.  
20 Q. And she didn't give a reason  
21 to take her boots off?  
22 A. No, but I sure did hold her  
23 and it felt very, very good.  
24 Q. Was that because you had  
212: 1 some feelings for her?  
2 A. Yes.  
3 Q. Did you think at that point  
4 she had some feelings for you?  
5 A. Yes.  
6 Q. What were those feelings  
7 that you believe she had for you at  
8 that point?  
9 A. The best way I can answer  
10 that is why would she be there, why  
11 would she allow me to hold her if she  
12 didn't --  
13 Q. Do you think she had  
14 grandfatherly feelings toward you?  
15 A. No.  
16 Q. Why not?  
17 A. She didn't ask for a quarter  
18 or to sit on my lap. I have no idea  
19 what you're talking about. You don't

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/28/2005] Cosby, William H. - 09/28/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 211 Ln: 17 - Pg: 212 Ln: 24 continued...

### Annotation:

212:20 grab your grandfather's penis and  
21 massage it. Is that what you want to  
22 hear from me? If you can name people  
23 that want to do that with their  
24 grandfather, then go ahead.

Linked Issues: WHC Designations

Pg: 215 Ln: 24 - Pg: 216 Ln: 6

### Annotation:

215:24 Q. Did Andrea ever tell you she  
216: 1 was gay?  
2 A. No.  
3 Q. How did you find out she was  
4 gay?  
5 A. Someone read to me in the  
6 police report.

Linked Issues: WHC Designations



**47612.013 - Cosby adv Commonwealth**

***Cosby, William H. - 09/29/2005***

***9/29/2005***

***Annotation Digest - All Annotations***

***Issue Filter: CW Designations, WHC Designations***

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/29/2005] Cosby, William H. - 09/29/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 54 Ln: 15 - 17

**Annotation:**

54:15 Q. Have you given drugs to a  
16 man, sir?  
17 A. No.

Linked Issues: CW Designations

Pg: 58 Ln: 11 - Pg: 59 Ln: 8

**Annotation:**

58:11 Q. When you gave the Quaaludes  
12 to Theresa, did she know that they  
13 were Quaaludes?  
14 A. I believe so.  
15 Q. How did that come about that  
16 you gave her the Quaaludes?  
17 A. I gave them to her.  
18 Q. Did you say, here's  
19 Quaaludes?  
20 A. Yes.  
21 Q. What effect did the  
22 Quaaludes have on her?  
23 A. She became in those days  
24 what was called high.  
59: 1 Q. What did you see? What  
2 observations did you make after she  
3 took the Quaaludes?  
4 A. I saw someone who was high.  
5 Q. I don't know what that  
6 means. Could you explain it to me.  
7 A. Walking like they had too  
8 much to drink.

Linked Issues: CW Designations

Pg: 59 Ln: 9 - 11

**Annotation:**

59: 9 Q. Are you suggesting she was  
10 staggering?  
11 A. No.

Linked Issues: WHC Designations

Pg: 59 Ln: 20 - Pg: 60 Ln: 10

**Annotation:**

59:20 Q. Did she slur her speech?  
21 A. I don't think so.  
22 Q. Did she become happy?  
23 A. Become happy? She was

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/29/2005] Cosby, William H. - 09/29/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 59 Ln: 20 - Pg: 60 Ln: 10 continued...

### Annotation:

59:24 already happy.  
60: 1 Q. Was she giggling or  
2 something such as that? I'm trying to  
3 describe a drunk. There are mean  
4 drunks, there are happy drunks.  
5 A. She wasn't mean.  
6 Q. Was she relaxed?  
7 A. I think so.  
8 Q. Was she able to move her  
9 arms and her legs?  
10 A. Yes.

Linked Issues: WHC Designations

Pg: 62 Ln: 5 - 10

### Annotation:

62: 5 Q. As of November 2002, did you  
6 have Quaaludes in your possession?  
7 A. No.  
8 Q. Were Quaaludes in any of  
9 your residences as of that time frame?  
10 A. No.

Linked Issues: WHC Designations

Pg: 63 Ln: 11 - Pg: 66 Ln: 22

### Annotation:

63:11 Q. Let me rephrase it. Did you  
12 get the Quaaludes pursuant to a  
13 prescription?  
14 A. When?  
15 Q. When you were in possession  
16 of the Quaaludes that you gave to  
17 Theresa?  
18 A. Yes.  
19 Q. Who gave you that  
20 prescription?  
21 A. A doctor.  
22 Q. Who was that doctor?  
23 A. Leroy Amar?  
24 Q. Will you spell his last  
64: 1 name?  
2 A. A-M-A-R.  
3 Q. Where does he practice?  
4 A. Dead.  
5 Q. Where did he practice?  
6 A. Los Angeles.  
7 Q. When did he give you the

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/29/2005] Cosby, William H. - 09/29/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 63 Ln: 11 - Pg: 66 Ln: 22 continued...

### Annotation:

64: 8 Quaaludes? When did he give you the  
9 prescription?  
10 A. Around that time.  
11 Q. So, he gave you a  
12 prescription of Quaaludes but you  
13 never took them?  
14 A. Exactly.  
15 Q. Why did he prescribe  
16 Quaaludes for you?  
17 A. For my back.  
18 Q. What was wrong with your  
19 back?  
20 A. It was sore.  
21 Q. Did he give you more than  
22 one prescription?  
23 A. Yes.  
24 Q. How many?  
65: 1 A. About seven.  
2 Q. Seven prescriptions for  
3 Quaaludes?  
4 A. What are you asking? Why  
5 are you saying seven prescriptions for  
6 Quaaludes? I don't understand what  
7 you're after.  
8 Q. I'm simply after the truth,  
9 sir.  
10 A. You're asking a question and  
11 I give you the answer and then you  
12 sound like, what. That's the sound  
13 you gave.  
14 Q. I'm sorry about your  
15 perception.  
16 A. I'm answering seven. You  
17 said how many. I'm answering seven in  
18 my mind over the course of years of  
19 knowing him.  
20 Q. He gave you seven  
21 prescriptions for Quaaludes over what  
22 period of time?  
23 A. Two or three years.  
24 Q. Why didn't you ever take the  
66: 1 Quaaludes?  
2 A. Because I used them.  
3 Q. For what?  
4 A. The same as a person would  
5 say have a drink.  
6 Q. You gave them to other  
7 people?  
8 A. Yes.  
9 Q. Did he know when he gave you

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/29/2005] Cosby, William H. - 09/29/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 63 Ln: 11 - Pg: 66 Ln: 22 continued...

### Annotation:

66:10 those prescriptions that you had no  
11 intention of taking them?  
12 A. Yes.  
13 Q. Did you believe at that time  
14 that it was illegal for you to  
15 dispense those drugs?  
16 A. Yes.  
17 Q. And you did it anyway; is  
18 that correct? You have to answer yes  
19 or no.  
20 A. Why do I have to answer  
21 that? It's obvious. I just finished  
22 telling you I gave them.

Linked Issues: CW Designations

Pg: 67 Ln: 13 - 19

### Annotation:

67:13 BY MS. TROIANI:  
14 Q. Did you ever get another  
15 prescription for Quaaludes from  
16 another doctor after that time?  
17 MR. O'CONNOR: This is in  
18 the '70s?  
19 THE WITNESS: No.

Linked Issues: CW Designations

Pg: 68 Ln: 4 - 15

### Annotation:

68: 4 Q. Why didn't you ever take  
5 them yourself?  
6 A. I get sleepy.  
7 Q. How would you know that if  
8 you never took them?  
9 A. Quaaludes happen to be a  
10 depressant. I have had surgery and  
11 while being given pills that block the  
12 nervous system, in particular the  
13 areas of muscle, the back, I found  
14 that I get sleepy and I want to stay  
15 awake.

Linked Issues: CW Designations

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/29/2005] Cosby, William H. - 09/29/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 69 Ln: 5 - Pg: 70 Ln: 19

### Annotation:

69: 5 Q. Now, you said that the  
6 doctor knew that you weren't going to  
7 take these Quaaludes when he gave you  
8 the prescription.  
9 What do you recall about the  
10 conversation you had with the doctor  
11 that prompted him to give you the  
12 prescription?  
13 A. May I have the question read  
14 back?  
15 MS. TROIANI: Sure.  
16 (At this time, the court  
17 reporter read back from the record as  
18 requested.)  
19 THE WITNESS: I asked him if  
20 he would give me some of those  
21 Quaaludes.  
22 BY MS. TROIANI:  
23 Q. And what did he tell you?  
24 A. He asked me if I had a bad  
70: 1 back or anything and I said yes.  
2 Q. How did he know that you  
3 didn't intend to take them?  
4 A. He didn't.  
5 Q. I thought earlier you said  
6 that he knew you were not taking them?  
7 A. But you asked me how did he  
8 know.  
9 Q. You testified that he knew  
10 you were not going to take them. And  
11 I'd like to -- explain your answer.  
12 How did he know that, or why do you  
13 say he knew that?  
14 A. What was happening at that  
15 time was that that was -- Quaaludes  
16 happen to be the drug that kids, young  
17 people were using to party with and  
18 there were times when I wanted to have  
19 them just in case.

Linked Issues: CW Designations

Pg: 71 Ln: 15 - 20

### Annotation:

71:15 Q. When you got the Quaaludes,  
16 was it in your mind that you were  
17 going to use these Quaaludes for young  
18 women that you wanted to have sex  
19 with?

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/29/2005] Cosby, William H. - 09/29/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 71 Ln: 15 - 20 continued...

**Annotation:**

71:20 A. Yes.

**Linked Issues:** CW Designations

Pg: 71 Ln: 21 - 23

**Annotation:**

71:21 Q. Did you ever give any of  
22 those young women the Quaaludes  
23 without their knowledge?

**Linked Issues:** WHC Designations

Pg: 72 Ln: 9 - 11

**Annotation:**

72: 9 THE WITNESS: I  
10 misunderstood. Woman, meaning  
11 Theresa, and not women.

**Linked Issues:** WHC Designations

Pg: 72 Ln: 21 - Pg: 73 Ln: 1

**Annotation:**

72:21 Q. Sir, I want to explain this  
22 to you. I'm asking you a question.  
23 You have every right in the world to  
24 say, no, you're misunderstanding me.  
73: 1 A. I just did.

**Linked Issues:** WHC Designations

Pg: 75 Ln: 4 - 9

**Annotation:**

75: 4 Q. Has any other doctor given  
5 you a prescription for Quaaludes?  
6 A. No.  
7 Q. Have you obtained Quaaludes  
8 after that time from any other source?  
9 A. No.

**Linked Issues:** WHC Designations

Pg: 90 Ln: 20 - 24

**Annotation:**

90:20 Q. You would agree with me that  
21 if you got seven prescriptions for

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/29/2005] Cosby, William H. - 09/29/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 90 Ln: 20 - 24 continued...

### Annotation:

90:22 Quaaludes you could still keep those  
23 Quaaludes for a number of years?  
24 A. Yes.

Linked Issues: CW Designations

Pg: 174 Ln: 11 - 16

### Annotation:

174:11 Do you feel that you are a  
12 good person?  
13 A. Yes.  
14 Q. And do you feel that you are  
15 a person who can be trusted?  
16 A. Yes.

Linked Issues: WHC Designations

Pg: 174 Ln: 24 - Pg: 175 Ln: 2

### Annotation:

174:24 Q. And you wanted Andrea to  
175: 1 trust you?  
2 A. Yes.

Linked Issues: CW Designations

Pg: 175 Ln: 3 - Pg: 176 Ln: 2

### Annotation:

175: 3 Q. That that's what happened.  
4 Looking back on it, I realize that  
5 words and actions can be  
6 misinterpreted by another person and  
7 unless you're a supreme being, you  
8 can't protect what another individual  
9 will do.  
10 What words and actions did  
11 you believe were misinterpreted?  
12 A. That I drugged her.  
13 Q. Who misinterpreted?  
14 A. Andrea.  
15 Q. And what words of yours were  
16 misinterpreted by her?  
17 A. As we continued after the  
18 night, the relationship was without a  
19 situation of -- let me put it this  
20 way. After the night, the  
21 relationship continued and what I  
22 thought was a comfort zone for Andrea



## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/29/2005] Cosby, William H. - 09/29/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 175 Ln: 3 - Pg: 176 Ln: 2 continued...

### Annotation:

175:23 all the way until she went to Canada  
24 to move in and through the  
176: 1 conversations when she was talking to  
2 me about her life up there.

Linked Issues: WHC Designations

Pg: 176 Ln: 8 - 20

### Annotation:

176: 8 Q. Did you have conversations  
9 with her when she was in Canada?  
10 A. Yes.  
11 Q. How many?  
12 A. Many. I can't ballpark it.  
13 Q. Who called? Did you call  
14 her or did she call you?  
15 A. I don't remember.  
16 Q. Do you have any phone  
17 records which would substantiate that  
18 there were these many phone calls?  
19 A. I have none. I have none on  
20 me.

Linked Issues: CW Designations

Pg: 179 Ln: 16 - Pg: 180 Ln: 6

### Annotation:

179:16 Q. You're not talking about the  
17 ones in August when you were at Casino  
18 Rama; am I correct?  
19 A. No.  
20 Q. You're saying that from the  
21 time she went up to Canada in March of  
22 2004 until December of 2004, that you  
23 believe there were multiple phone  
24 calls between the two of you?  
180: 1 A. Yes. But don't go wild with  
2 the multiple. I'm saying there's  
3 enough phone calls that Andrea and I  
4 have talked.  
5 Q. Do you know how many?  
6 A. No.

Linked Issues: CW Designations

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/29/2005] Cosby, William H. - 09/29/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 184 Ln: 23 - Pg: 185 Ln: 5

**Annotation:**

184:23 Q. Do you believe she was after  
24 hush money?  
185: 1 A. I never used the word hush  
2 money.  
3 Q. Did you believe that she was  
4 after money so that she would not  
5 report this?

Linked Issues: CW Designations

Pg: 185 Ln: 9

**Annotation:**

185: 9 THE WITNESS: No.

Linked Issues: CW Designations

Pg: 187 Ln: 2 - 8

**Annotation:**

187: 2 Q. So, you did not believe that  
3 Andrea or her mother wanted money from  
4 you at the time they made the phone  
5 calls to you?  
6 A. No.  
7 Q. Then why did you offer them  
8 money?

Linked Issues: CW Designations

Pg: 187 Ln: 14 - Pg: 189 Ln: 2

**Annotation:**

187:14 BY MS. TROIANI:  
15 Q. Can you answer that  
16 question?  
17 A. I can only answer it with a  
18 question, where does it show that I  
19 offered them money?  
20 Q. Didn't you offer to pay for  
21 her education?  
22 A. I offered, yes. But what's  
23 left out is I offered a face-to-face  
24 meeting with Andrea's mother and  
188: 1 Andrea. There was no offer of money.  
2 Q. And what was your purpose in  
3 offering them the face-to-face  
4 meeting?  
5 A. Well, very, very important.  
6 I want to find out what the problem is

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/29/2005] Cosby, William H. - 09/29/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 187 Ln: 14 - Pg: 189 Ln: 2 continued...

### Annotation:

188: 7 face-to-face. I told Andrea's mother  
8 that. I asked Andrea's mother on the  
9 telephone, do you think that we will  
10 ever be able to get together to talk  
11 this over? And her mother said, I  
12 would hope so. I don't know, her  
13 mother said. And I said to her, do  
14 you think we could have some kind of  
15 meeting? And she said, I don't know.  
16 But I had the gentleman from  
17 the Morris office to try to set up. I  
18 don't know who Peter talked to,  
19 however, it wasn't Andrea. I believe  
20 it was Andrea's mother and her mother  
21 said, let me think about it and I'll  
22 talk to. And I guess she was going to  
23 talk to Andrea, I'm not sure. And the  
24 word came back that they're sorry but  
189: 1 they were going to be doing something  
2 else that weekend.

Linked Issues: CW Designations

Pg: 196 Ln: 7 - Pg: 199 Ln: 17

### Annotation:

196: 7 Q. I'll start on page 11 to be  
8 fair. What was the nature of the  
9 first conversation? And your answer  
10 is, three times her mother says to me,  
11 this is a horrible thing, what you  
12 have done to my daughter. It is  
13 something that a mother -- I don't  
14 think she said nightmare. She said,  
15 it is something a mother hopes will  
16 never happen to her daughter. She  
17 said this three times.  
18 She also said three times,  
19 Andrea, something pertaining to not  
20 knowing how long this will take, how  
21 long it will take Andrea to heal and  
22 how long it would take her mother to  
23 heal. First I apologized twice. Then  
24 she said -- I said, what do you want  
197: 1 me to -- and I assume the word do is  
2 left out. I said, what can I do? And  
3 she said, nothing. She said, your  
4 apology is enough. I asked that  
5 twice. She said, nothing, there's  
6 nothing you can do.

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/29/2005] Cosby, William H. - 09/29/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 196 Ln: 7 - Pg: 199 Ln: 17 continued...

### Annotation:

197: 7                   We hung up. I know Andrea  
8       so I called her back thinking, listen,  
9       I know that Andrea has talked about  
10      graduate school, why don't we have a  
11      conversation and talk about what she  
12      wants to be. Whatever graduate  
13      school, we will pick up the tab, but  
14      she must maintain a 3.0 GPA.  
15                    When you say we, who do you  
16      mean? Well, like our family, when we  
17      write a check, that's what we do.  
18      Question, what was the response? She  
19      did not accept, nor did she reject it.  
20      Question, do you recall Mrs. Constand  
21      saying you're in the hot seat?  
22      Answer, no? Do you remember Mrs.  
23      Constand telling you you were in the  
24      frying pan? Answer, no. Question, at  
198: 1     any time because of who you are, did  
2       you feel there was the potential that  
3       either Andrea or her mother was going  
4       to use this information to either  
5       embarrass you or extort you? Do you  
6       have any of these concerns? Answer,  
7       yes?  
8       A.            Then the answer is yes.  
9       Q.            Is it safe to say that  
10      because of these concerns is why you  
11      offered the education?  
12      A.            Yes. I want to include that  
13      the concerns happen to also be the  
14      conversation that should go on to find  
15      out what they want to do. The check  
16      is only something that will pay for  
17      the negotiated education. And as you  
18      can see, there's a stipulation of  
19      maintaining a 3.0 average.  
20      Q.            Were you also intending to  
21      offer them anything else?  
22      A.            No.  
23      Q.            You said that you were  
24      concerned because of the therapy?  
199: 1     Were you going to pay for the therapy?  
2       A.            In all seriousness, I would  
3       have to talk to -- have a meeting with  
4       her mother and with Andrea to find out  
5       exactly what it was they were thinking  
6       about -- on behalf of whatever it is  
7       her mother is saying is a problem with  
8       Andrea.

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/29/2005] Cosby, William H. - 09/29/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 196 Ln: 7 - Pg: 199 Ln: 17 continued...

### Annotation:

199: 9 Q. So, are you saying that  
10 Andrea would have to prove to you that  
11 she got a 3.0 average wherever she  
12 went in order for you to pay for her  
13 education?  
14 A. She would have to prove to  
15 me that while she was at said  
16 university that she was maintaining a  
17 3.0.

Linked Issues: CW Designations

Pg: 207 Ln: 4 - Pg: 209 Ln: 5

### Annotation:

207: 4 Q. Is that what you call them,  
5 when you give money to someone for  
6 their education?  
7 MR. O'CONNOR: You can  
8 answer that.  
9 THE WITNESS: It's a  
10 foundation.  
11 BY MS. TROIANI:  
12 Q. I thought you said we don't  
13 have a foundation.  
14 You have a foundation?  
15 A. But not for the one that  
16 Andrea is going to be the recipient  
17 of. You asked me the proper way or  
18 the way that a person would get money  
19 for scholarships, is that what you're  
20 asking?  
21 Q. Right.  
22 A. The proper way is that  
23 there's a foundation and the  
24 foundation has a board and the board  
208: 1 examines the person's criteria, the  
2 criteria being the grades, the  
3 family's income, et cetera, et cetera.  
4 Q. The one that you were  
5 talking about for Andrea, where would  
6 that money come from?  
7 A. That would not come that  
8 way.  
9 Q. How would it come?  
10 A. It would come through our  
11 writing a check.  
12 Q. And our being who?  
13 A. The family.  
14 Q. Would your wife know about

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/29/2005] Cosby, William H. - 09/29/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 207 Ln: 4 - Pg: 209 Ln: 5 continued...

### Annotation:

208:15       that?  
16       A.       That's family. My wife  
17       would not know it was because Andrea  
18       and I had had sex and that Andrea was  
19       now very, very upset and that she  
20       decided that she would like to go to  
21       school or whatever it is. We can get  
22       back on track.  
23       Q.       How would you explain to  
24       your wife that you were giving this  
209: 1       personally as opposed to using the  
2       foundation?  
3       A.       I would say to her that  
4       there is a person I would like to  
5       help.

Linked Issues: CW Designations

Pg: 213 Ln: 9 - Pg: 215 Ln: 5

### Annotation:

213: 9       Q.       Now, in your statement again  
10       on page 12, after the question  
11       about -- and I'll start I guess the  
12       fifth question again. At any time  
13       because of who you are, did you feel  
14       that there was the potential that  
15       either Andrea or her mother was going  
16       to use this information to either  
17       embarrass you or extort you? Did you  
18       have any of these concerns? And  
19       you've answered, yes.  
20       However, earlier you say,  
21       the top of the page, that you asked  
22       her twice, meaning Andrea's mother  
23       what she wanted and both times she  
24       said that an apology was enough. Is  
214: 1       that correct?  
2       A.       Yes.  
3       Q.       So, what was it that caused  
4       you to believe that an apology was not  
5       enough?  
6       A.       The mother said it twice,  
7       but the mother also went on to say --  
8       what I remember is her life, something  
9       to the effect that she wanted to live  
10       her life, and I hesitate to say in a  
11       comfortable way, but it was to live  
12       her life in a way without worries, so  
13       to speak. I don't think she was

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/29/2005] Cosby, William H. - 09/29/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 213 Ln: 9 - Pg: 215 Ln: 5 continued...

### Annotation:

214:14      talking about a huge amount of money,  
15      but it could be interpreted by me and  
16      I was thinking, what does that mean  
17      when she says okay, you apologized,  
18      all right. That's -- you know, that's  
19      all I wanted, Bill.  
20              Now, what do you want me to  
21      do? Nothing. That's all I wanted. I  
22      still upon hanging up the phone --  
23      also, Andrea spoke twice, three times  
24      she spoke. And the third time she  
215: 1      said, I got to go. And there was no  
2      connect. And I felt that this is the  
3      first time I've ever felt an anger or  
4      been able to project an anger from  
5      her.

Linked Issues: CW Designations

Pg: 215 Ln: 6 - Pg: 216 Ln: 22

### Annotation:

215: 6      Q.              From Andrea?  
7      A.              Yes.  
8      Q.              Because she said I have to  
9      go?  
10     A.              It was the way she said it.  
11     Also, she had not given me any help  
12     when I asked for it.  
13     Q.              What do you mean?  
14     A.              Well, I said, look, Andrea,  
15     explain, tell your mother, in other  
16     words, talking about -- I don't  
17     remember specifically, but it was  
18     about her eyes and the movement,  
19     talking to the mother about Andrea's  
20     eye movement, she was asking about the  
21     pills. And the way she was asking  
22     about the pills was in a very up, high  
23     frequency, of I want to know the  
24     truth, what you did to my daughter.  
216: 1              And I was trying to explain  
2     and I gave her the Benadryl so that  
3     she would relax because she had talked  
4     to me about not being able to sleep  
5     and that she said her eyeballs move.  
6     I tried to get her to say that to her  
7     mother. And Andrea said, I, my  
8     mother, and it was cut off. And the  
9     mother said, what does that have to do

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/29/2005] Cosby, William H. - 09/29/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 215 Ln: 6 - Pg: 216 Ln: 22 continued...

### Annotation:

216:10 with what we're talking about, about  
11 what you did to my daughter? Then the  
12 second time I thought, all right,  
13 Andrea, tell your mother what  
14 happened. And Andrea said, I, I, I  
15 couldn't move. And then the mother  
16 jumped in and we had that  
17 conversation.  
18 Even though the mother said,  
19 okay, Bill, that's good enough for me,  
20 even though she said it twice, it  
21 still didn't register. I was  
22 frightened.

Linked Issues: CW Designations

Pg: 216 Ln: 23 - Pg: 218 Ln: 24

### Annotation:

216:23 Q. Now, you didn't tell either  
24 Andrea or her mother during the first  
217: 1 conversation or the second that you  
2 had given Andrea Benadryl?  
3 A. No.  
4 Q. You told them you would  
5 write it on a piece of paper and send  
6 them that?  
7 A. Yes. As a matter of fact I  
8 think I said, I'll send it to you.  
9 Q. According to Mrs. Constand  
10 you said that you had to check the  
11 prescription and you would then write  
12 it on a piece of paper and mail it to  
13 her?  
14 A. No.  
15 Q. You did not say that?  
16 A. No. I promised to send it  
17 to her.  
18 Q. Did you tell her you would  
19 write it on a piece of paper and send  
20 it to her?  
21 A. I think I promised to mail  
22 it to her.  
23 Q. Mail her what?  
24 A. The medication.  
218: 1 Q. The Benadryl?  
2 A. Yes.  
3 Q. Did you still have the same  
4 packet of Benadryl?  
5 A. Yes.



## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [9/29/2005] Cosby, William H. - 09/29/2005  
Issue Filter: CW Designations, WHC Designations

---

Pg: 216 Ln: 23 - Pg: 218 Ln: 24 continued...

### Annotation:

218: 6 Q. Why didn't you just say it  
7 was Benadryl?  
8 A. I'm on the phone. I'm  
9 listening to two people. And I'm at  
10 first thinking, the mother is coming  
11 at me for being a dirty old man, which  
12 is bad also, but then what did you  
13 give my daughter? And I put these  
14 things in the mail and these people  
15 are in Canada, what are they going to  
16 do if they receive it? What are they  
17 going to say if I tell them about it?  
18 And also to be perfectly frank, I'm  
19 thinking and praying that nobody is  
20 recording me.  
21 Q. But there's nothing illegal  
22 about Benadryl, it's an  
23 over-the-counter product, correct?  
24 A. Exactly.

Linked Issues: CW Designations

Pg: 219 Ln: 1 - Pg: 220 Ln: 4

### Annotation:

219: 1 Q. You're saying you didn't  
2 want to mail this over-the-counter  
3 product to Canada?  
4 A. Yes.  
5 Q. And you didn't want to write  
6 on a piece of paper what it was and  
7 mail that to Canada?  
8 A. Yes.  
9 Q. Why did you tell them that  
10 you would write it on a piece of paper  
11 and send it to Canada?  
12 A. In the beginning.  
13 Q. You did tell them that?  
14 A. In the beginning. After I  
15 listened to the mother, I don't want  
16 to do anything because I am not really  
17 sure.  
18 Q. Now, am I correct this was a  
19 conversation that lasted over two  
20 hours?  
21 A. I have no idea.  
22 Q. You know it was a long time?  
23 A. It's the fastest two hours I  
24 ever spent.  
220: 1 Q. Where were you at the time

## TextMap Annotation Digest Report

**Case Name:** 47612.013 - Cosby adv Commonwealth  
**Transcript:** [9/29/2005] Cosby, William H. - 09/29/2005  
**Issue Filter:** CW Designations, WHC Designations

---

**Pg: 219 Ln: 1 - Pg: 220 Ln: 4 continued...**

**Annotation:**

220: 2 of the conversation?  
3 A. In my bedroom in Los  
4 Angeles.

**Linked Issues:** CW Designations

**Pg: 224 Ln: 1 - 17**

**Annotation:**

224: 1 Q. If Andrea had not -- if that  
2 phone call had not occurred between  
3 you and Andrea's mother, would you  
4 have out of the blue called up her  
5 mother and said, let me pay for  
6 Andrea's schooling?  
7 A. No. However, wait one  
8 second. I did return the call. I did  
9 return the call. It was a call to my  
10 house, one, two. Let's say Andrea's  
11 mother is calling, I did return the  
12 call.  
13 Q. You're talking about the  
14 phone call?  
15 A. That Andrea's mother made.  
16 Q. In January?  
17 A. To me.

**Linked Issues:** CW Designations

**Pg: 233 Ln: 11 - Pg: 235 Ln: 9**

**Annotation:**

233: 11 Q. Tell me in your own records  
12 what happened on the night that you  
13 gave Andrea the Benadryl.  
14 A. She came to the house, the  
15 back door, she knocked on the door or  
16 I saw her coming and opened the door.  
17 Q. Did you know she was coming?  
18 A. Yes.  
19 Q. How did you know that?  
20 A. Andrea comes, she accepts my  
21 invitation.  
22 Q. And what happened when you  
23 went to the back door and let her in?  
24 A. She came in.  
234: 1 Q. And then what happened?  
2 A. She sat with her back to the  
3 kitchen wall, which is the door, the  
4 door wall, the entry door wall. Our

## TextMap Annotation Digest Report

**Case Name:** 47612.013 - Cosby adv Commonwealth  
**Transcript:** [9/29/2005] Cosby, William H. - 09/29/2005  
**Issue Filter:** CW Designations, WHC Designations

---

**Pg: 233 Ln: 11 - Pg: 235 Ln: 9 continued...**

### Annotation:

234: 5 conversation at that time was about  
6 concentration, was about -- I don't  
7 remember that clearly now what it was  
8 fully about, but we talked. And there  
9 was talk of tension, yes, about  
10 relaxation and Andrea trying to learn  
11 to relax the shoulders, the head, et  
12 cetera. And I went upstairs and I  
13 went into my pack and I broke one,  
14 whole one and brought a half down and  
15 told her to take it. Your friends, I  
16 have three friends for you to make you  
17 relax.  
18 Q. So, you brought down two and  
19 a half pills?  
20 A. Broke one in half and  
21 another one, half, which would be one  
22 and a half, would be three pills.  
23 Q. So, you broke one pill in  
24 half. Where are the three? If you  
235: 1 have one half and one whole one,  
2 that's two.  
3 Are you saying you broke the  
4 whole one so you had three halves?  
5 A. Yes.  
6 Q. Why would you break the  
7 whole pill in half and give her both  
8 halves?  
9 A. Because they're long.

**Linked Issues:** CW Designations

**47612.013 - Cosby adv Commonwealth**

***Cosby, William H. - 03/28/2006***

***3/28/2006***

***Annotation Digest - All Annotations***

***Issue Filter: CW Designations, WHC Designations***

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [3/28/2006] Cosby, William H. - 03/28/2006  
Issue Filter: CW Designations, WHC Designations

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Pg: 89 Ln: 4 - Pg: 91 Ln: 9

### Annotation:

89: 4 Q. We'll read into the record  
5 what you said. When did you first  
6 develop a romantic interest in Andrea?  
7 You said, probably the first time I  
8 saw her.  
9 A. Romance is different from a  
10 sexual --  
11 Q. You wanted to have sexual  
12 contact with Andrea the first time you  
13 saw her?  
14 A. No, ma'am.  
15 Q. What does a romantic  
16 interest mean to you?  
17 A. I don't know where you come  
18 from. Romance is a different word  
19 than sexual contact.  
20 Q. What did you mean then by a  
21 romantic interest?  
22 A. I don't mean sex.  
23 Q. Well, I understand that you  
24 didn't have sexual intercourse.  
90: 1 A. I didn't say intercourse.  
2 Q. I'm not implying that it  
3 was.  
4 A. Why are you saying it then?  
5 Q. Because I need to  
6 understand.  
7 A. Please try to understand.  
8 Q. I want to understand what  
9 you mean by having a romantic interest  
10 in someone who is not your wife.  
11 A. I use the word -- and  
12 because a person is not my wife, if I  
13 use the word romance, whether it's my  
14 wife or not, it does not mean sex. We  
15 can use the word sex when sex is  
16 there. I don't have a problem with  
17 that. But if you're trying to put  
18 words or inferences in my statements,  
19 I have a problem.  
20 Q. You'll agree with me this  
21 romantic interest you had with Andrea  
22 led to sexual contact?  
23 A. Yes.  
24 Q. Now, having clarified that.  
91: 1 So we understand that romantic  
2 interest would include some kind of  
3 sexual conduct?  
4 A. No. I disagree with your  
5 putting words in my mouth. Every

## TextMap Annotation Digest Report

**Case Name:** 47612.013 - Cosby adv Commonwealth  
**Transcript:** [3/28/2006] Cosby, William H. - 03/28/2006  
**Issue Filter:** CW Designations, WHC Designations

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**Pg: 89 Ln: 4 - Pg: 91 Ln: 9 continued...**

### Annotation:

91: 6 romance does not lead to sex. So, if  
7 you ask me if I agree, I have to  
8 disagree whether it's without my wife  
9 or with my wife.

**Linked Issues:** CW Designations

**Pg: 91 Ln: 10 - Pg: 92 Ln: 22**

### Annotation:

91:10 Q. What do you mean when you  
11 said that you developed a romantic  
12 interest in Andrea the first time you  
13 saw her?  
14 A. Romance in terms of steps  
15 that will lead to some kind of  
16 permission or no permission or how you  
17 go about getting to wherever you're  
18 going to wind up.  
19 Q. Permission for what?  
20 A. Any number of things.  
21 Whatever the two people want together.  
22 Q. In a sexual context?  
23 A. Doesn't necessarily mean  
24 sexual.  
92: 1 Q. Permission to do what?  
2 A. Permission to do whatever  
3 the two people accept.  
4 Q. Go fishing?  
5 A. No. You're the fisher  
6 person. I'm not fishing. I'm trying  
7 to get you to make clarity before you  
8 put words in my mouth.  
9 Q. I'm not putting words in  
10 your mouth.  
11 A. You have done it. If they  
12 play it back, it's clear. I'm trying  
13 to explain to you my feelings.  
14 Q. Sir, I want to understand  
15 what you mean by romantic interest  
16 because I think that has a connotation  
17 that includes, as you said, permission  
18 or non-permission to engage in  
19 something more intimate than being  
20 friends.  
21 Would you agree with that?  
22 A. I agree.

**Linked Issues:** CW Designations

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [3/28/2006] Cosby, William H. - 03/28/2006  
Issue Filter: CW Designations, WHC Designations

---

Pg: 135 Ln: 1 - 6

### Annotation:

135: 1 have sex with? Answer, yes. Did you  
2 ever give any of those young women the  
3 Quaaludes without their knowledge?  
4 That's the question that you've been  
5 directed to answer.  
6 A. No.

Linked Issues: WHC Designations

Pg: 137 Ln: 3 - 6

### Annotation:

137: 3 Q. Did you ever give the  
4 Quaaludes to any other female but  
5 Theresa?  
6 A. Yes.

Linked Issues: CW Designations

Pg: 139 Ln: 6 - 13

### Annotation:

139: 6 Q. It is correct that you  
7 testified earlier that you had given  
8 Quaaludes to other women?  
9 MR. O'CONNOR: Third time,  
10 asked and answered. You can repeat  
11 again yes if you wish for the third  
12 time.  
13 THE WITNESS: Yes.

Linked Issues: CW Designations

Pg: 139 Ln: 22 - Pg: 140 Ln: 13

### Annotation:

139: 22 THE WITNESS: Could you put  
23 on the record that I'm confused,  
24 please.  
140: 1 MS. TROIANI: We need to  
2 clarify.  
3 MR. O'CONNOR: If you're  
4 confused, we have to clarify it now.  
5 THE WITNESS: Am I supposed  
6 to speak about what I'm confused  
7 about?  
8 BY MS. TROIANI:  
9 Q. Absolutely. What are you  
10 confused about?  
11 A. I think your first question

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [3/28/2006] Cosby, William H. - 03/28/2006  
Issue Filter: CW Designations, WHC Designations

---

Pg: 139 Ln: 22 - Pg: 140 Ln: 13 continued...

### Annotation:

140:12 had to do with the young woman, the  
13 lady with the name P.

Linked Issues: WHC Designations

Pg: 140 Ln: 22 - Pg: 141 Ln: 7

### Annotation:

140:22 Q. I wanted to know from you,  
23 have you given -- did you give these  
24 Quaaludes to Theresa. And I believe,  
141: 1 correct me if I'm wrong, that you  
2 admit that you did that?  
3 A. That is correct.  
4 Q. And then you also gave  
5 Quaaludes to other women who have not  
6 come forward?  
7 A. Yes.

Linked Issues: CW Designations

Pg: 142 Ln: 15 - 22

### Annotation:

142:15 Q. The next question is, what  
16 are the other drugs which you have  
17 been prescribed in the past five  
18 years? That's the question.  
19 A. Pardon me. For  
20 clarification. I haven't had any  
21 other drugs within the past five  
22 years.

Linked Issues: WHC Designations

Pg: 143 Ln: 18 - Pg: 144 Ln: 2

### Annotation:

143:18 Q. Defendant testified he  
19 obtained seven prescriptions for  
20 Quaaludes to give the drugs to women  
21 with whom he wanted to have sexual  
22 contact. That's where the context  
23 was.  
24 Who are the other people  
144: 1 that you gave Quaaludes to in the past  
2 five years?

Linked Issues: WHC Designations



## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [3/28/2006] Cosby, William H. - 03/28/2006  
Issue Filter: CW Designations, WHC Designations

---

Pg: 144 Ln: 10

**Annotation:**

144:10 THE WITNESS: None. Just

Linked Issues: WHC Designations

Pg: 153 Ln: 8 - 14

**Annotation:**

153: 8 In the past five years, have  
9 you ever obtained other drugs from any  
10 physician that you did not intend to  
11 use but intended to give some other  
12 parties such as you did with the  
13 Quaaludes?  
14 A. No.

Linked Issues: WHC Designations

Pg: 153 Ln: 18 - Pg: 154 Ln: 3

**Annotation:**

153:18 Do you know how long you had  
19 the prescriptions for Quaaludes in  
20 your possession?  
21 A. No.  
22 Q. Did you ever obtain  
23 Quaaludes again from any other source  
24 after the ones that you had been given  
154: 1 in the prescription that was no longer  
2 available to you?  
3 A. No.

Linked Issues: CW Designations

Pg: 154 Ln: 4 - 7

**Annotation:**

154: 4 Q. Have you ever gotten any  
5 prescriptions from any other doctor  
6 which drugs would have a similar  
7 effect to Quaaludes?

Linked Issues: WHC Designations

Pg: 154 Ln: 10

**Annotation:**

154:10 THE WITNESS: No.

Linked Issues: WHC Designations

## TextMap Annotation Digest Report

Case Name: 47612,013 - Cosby adv Commonwealth  
Transcript: [3/28/2006] Cosby, William H. - 03/28/2006  
Issue Filter: CW Designations, WHC Designations

---

Pg: 156 Ln: 5 - Pg: 158 Ln: 4

### Annotation:

156: 5 Q. Other than Andrea, have you  
6 offered any educational trust to any  
7 woman with whom you've had a sexual  
8 relationship with?  
9 A. No.  
10 Q. In the past five years how  
11 does one get an educational trust from  
12 you or your family?  
13 A. There is a foundation with a  
14 board and people can apply and send in  
15 a resume and the board would vote on  
16 it and yes or no.  
17 Q. Who is on the board?  
18 A. I don't remember.  
19 Q. Are you on the board?  
20 A. No.  
21 Q. How were you proposing that  
22 Andrea would get an educational trust  
23 if you're not on the board?  
24 A. It wouldn't go through that.  
157: 1 Q. Where would her education  
2 trust be?  
3 A. She would have had a  
4 conversation with Marty Singer.  
5 Q. How would that have resulted  
6 in her getting an educational trust?  
7 A. Whatever way Marty would  
8 want to set it up with of course her  
9 family or Andrea, since she's over 21,  
10 making her decision.  
11 Q. Why would Marty Singer have  
12 been involved?  
13 A. He's a lawyer and there is a  
14 correct way to do it and it would be  
15 on paper.  
16 Q. Would her educational trust  
17 be different than the foundation one  
18 that you just spoke about?  
19 A. Yes.  
20 Q. Now, had you contacted Marty  
21 Singer about getting an educational  
22 trust for Andrea?  
23 A. Yes.  
24 Q. And did you ask him to call  
158: 1 her?  
2 A. Yes.  
3 Q. What did you tell him?  
4 MR. O'CONNOR: Objection.

Linked Issues: CW Designations

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [3/28/2006] Cosby, William H. - 03/28/2006  
Issue Filter: CW Designations, WHC Designations

---

Pg: 164 Ln: 1 - 24

### Annotation:

164: 1 Q. If she didn't want to go to  
2 grad school, was it your intention to  
3 offer her monetary compensation?  
4 A. No.  
5 Q. Have you ever used this  
6 vehicle of an educational trust, which  
7 is not the one that you talked about  
8 before with the board, as a means to  
9 giving money to any other woman with  
10 whom you had a relationship?  
11 A. No.  
12 Q. What is the criteria for the  
13 educational trust?  
14 A. If I've never done it  
15 before. I don't understand what the  
16 criteria would be.  
17 Q. What criteria were you  
18 planning on setting up?  
19 A. I have no idea. There was  
20 no meeting.  
21 Q. Did you have any discussions  
22 with anybody about what criteria you  
23 were going to require?  
24 A. No.

Linked Issues: CW Designations

**47612.013 - Cosby adv Commonwealth**

***Cosby, William H. - 03/29/2006***

***3/29/2006***

***Annotation Digest - All Annotations***

***Issue Filter: CW Designations, WHC Designations***

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [3/29/2006] Cosby, William H. - 03/29/2006  
Issue Filter: CW Designations, WHC Designations

---

Pg: 129 Ln: 6 - Pg: 136 Ln: 8

### Annotation:

129: 6 Q. Now, I asked you that time  
7 can you tell me without regard to any  
8 statements what you recall of the  
9 night in which you gave the pills to  
10 Andrea.  
11 A. Yes, you did.  
12 Q. Can you tell me?  
13 A. Yes.  
14 Q. Please do.  
15 A. Andrea came to the house. I  
16 called her. She came in through the  
17 kitchen door. She sat down. I sat  
18 down. We talked. We talked about  
19 Temple University. We talked about  
20 her position. And then I went  
21 upstairs and I got three pills. I  
22 brought them down. They are the  
23 equivalent of one and a half. The  
24 reason why I gave them and offered  
130: 1 them to Andrea, which she took after  
2 examining them, was because she was  
3 talking about stress, her neck, maybe  
4 even her shoulders. I'm not sure.  
5 Her neck.  
6 I talked to her about  
7 relaxation. I talked to her about her  
8 head and how she had to try and think.  
9 We sat for 15 or 20 minutes talking.  
10 I then said, let's go into the living  
11 room. We went into the living room,  
12 which is the first living room, which  
13 is the opposite of the last two  
14 encounters. I motioned for her to  
15 sit. She said she had to go to the  
16 bathroom. She went to the bathroom,  
17 which is about a 54 step walk maybe.  
18 She came back. I asked her  
19 to have a sit down on the sofa. We  
20 were still talking. But then we began  
21 to neck and we began to touch and we  
22 began to feel and kiss and kiss back.  
23 I then opened my top and I lifted up  
24 what was sort of like a fishing net.  
131: 1 I don't know what the sweater was.  
2 Then I lifted her bra up so our skin  
3 could touch. We rubbed. We kissed.  
4 I stopped.  
5 I moved back to the sofa,  
6 coming back in a position. She's on  
7 top of me. I place my knee between

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [3/29/2006] Cosby, William H. - 03/29/2006  
Issue Filter: CW Designations, WHC Designations

---

Pg: 129 Ln: 6 - Pg: 136 Ln: 8 continued...

### Annotation:

131: 8 her legs. She's up. We kiss. I hold  
9 her. She hugs. I move her to the  
10 position of down. She goes with me  
11 down. I am behind her. I have this  
12 arm, her neck.  
13 Q. Indicating your left arm?  
14 A. Left arm. Her neck is there  
15 and her head. There's a pillow, which  
16 is a pillow that goes with the  
17 decoration of the sofa, it's not a  
18 bedroom pillow. I am behind her. We  
19 are what would be called in a spooning  
20 position. My face is right on the  
21 back of her head, around her ear.  
22 I go inside of her pants.  
23 She touches me. It's awkward. It's  
24 uncomfortable for her. She pulls her  
132: 1 hand -- I don't know if she got tired  
2 or what. She then took her hand and  
3 put it on top of my hand to push it in  
4 further. I move my fingers. I do not  
5 talk. She doesn't talk. But she  
6 makes a sound which I feel was an  
7 orgasm and she was wet. She was wet  
8 when I went in.  
9 She relaxed her hand after  
10 pressing it during her sound. I  
11 relax. I pull my hand out after a  
12 wait of a while. I don't say  
13 anything. I then make a move to get  
14 out. She moves back. She now has her  
15 arm like so. Her left arm out. I sit  
16 between her torso and her thighs. I  
17 sit there and I ask her to please take  
18 a nap. Please take a nap.  
19 I refer to moving eyeballs  
20 under the lids. This is an old  
21 conversation that we have had about  
22 the fact that she has said she has  
23 trouble sleeping. That her eyeballs  
24 move under the lids, that they move  
133: 1 under the lids. She has trouble  
2 sleeping. I asked her to now try to  
3 go to sleep. Go to sleep.  
4 I go upstairs. I set my  
5 alarm clock for a time, I don't know  
6 what. But it's going to be dark so  
7 she can leave. I wake up an hour  
8 before the alarm clock goes off. I  
9 hit it. I come down the steps quietly

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [3/29/2006] Cosby, William H. - 03/29/2006  
Issue Filter: CW Designations, WHC Designations

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Pg: 129 Ln: 6 - Pg: 136 Ln: 8 continued...

### Annotation:

133:10 I believe and I look and she is awake.  
11 I said in a sort of chastising way, I  
12 thought you were going to go to sleep.  
13 Really believing that I would have to  
14 wake her up. She says no. She sits  
15 up and we then go to the kitchen.  
16 I offer her a blueberry  
17 muffin on a plate. She takes it. I  
18 offer her tea, she agrees. I go into  
19 the cappuccino room, I make tea for  
20 her, Red Zinger, she says she likes  
21 it. She's had it before. Bring it  
22 back, pour tea. She sits and we talk.  
23 Not a lot of talk, but we talked.  
24 She is not asking me a darn  
134: 1 thing in a negative. She's giving no  
2 viewpoint of anything negative having  
3 happened to her. And I sat there and  
4 I watched her eat the muffin. I don't  
5 think she ate all of it. She then  
6 wrapped it up, didn't finish all of  
7 the tea. By the way, she sat fully in  
8 the chair. She got up. I got up with  
9 her. Opened the door. She went out  
10 through the second door to the car,  
11 got in the car and drove away.  
12 Q. Now, you said I went up and  
13 got three pills. Can you describe  
14 these three pills for me?  
15 A. They are the equivalent of  
16 one and a half decongestant Benadryl.  
17 Q. What are the three pills?  
18 A. Benadryl.  
19 Q. Why do you say they're the  
20 equivalent of one and a half?  
21 A. Because they were broken.  
22 Q. What color were they?  
23 A. Blue.  
24 Q. Are you saying that you  
135: 1 broke the Benadryl?  
2 A. Yes.  
3 Q. When did you do that?  
4 A. Upstairs.  
5 Q. Why?  
6 A. Because sometimes I would  
7 rather take them small because I don't  
8 know if the full pill will look like  
9 something different to her from the  
10 one that is in half.  
11 Q. What do you mean by that?

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [3/29/2006] Cosby, William H. - 03/29/2006  
Issue Filter: CW Designations, WHC Designations

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Pg: 129 Ln: 6 - Pg: 136 Ln: 8 continued...

### Annotation:

135:12 A. I mean, if I break it, it  
13 looks like three of the same.  
14 Q. What shape are they?  
15 A. Oblong.  
16 Q. Did you tell her they were  
17 Benadryl?  
18 A. No.  
19 Q. Why not?  
20 A. Just didn't think about it.  
21 Q. Now, what effect did they  
22 have on her?  
23 A. Well, obviously not the  
24 effect I wanted.  
136: 1 Q. What effect did you want?  
2 A. I wanted her to be  
3 comfortable enough to relax and go to  
4 sleep after we had had our necking  
5 session.  
6 Q. What effect did they have on  
7 her?  
8 A. She didn't go to sleep.

Linked Issues: CW Designations

Pg: 136 Ln: 9 - Pg: 144 Ln: 9

### Annotation:

136: 9 Q. She didn't go to sleep while  
10 you were downstairs?  
11 A. When I came downstairs, she  
12 was awake.  
13 Q. How long were you upstairs?  
14 A. I don't know. Maybe two  
15 hours or something.  
16 Q. Do you know if she slept  
17 during those two hours?  
18 A. I don't.  
19 Q. What made you decide to give  
20 her one and a half pills?  
21 A. Because Andrea is about the  
22 same size I am, not in weight, former  
23 athlete. I take two.  
24 Q. What effect does the two  
137: 1 have on you?  
2 A. I can lie down and put  
3 myself in a state of mind and it will  
4 help to relieve any tension or any  
5 particular feeling that maybe I'm  
6 three hours ahead of when I usually go  
7 to sleep so I can relax.



## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [3/29/2006] Cosby, William H. - 03/29/2006  
Issue Filter: CW Designations, WHC Designations

---

Pg: 136 Ln: 9 - Pg: 144 Ln: 9 continued...

### Annotation:

137: 8 Q. Does it help you go to  
9 sleep?  
10 A. Yes.  
11 Q. And how soon after you take  
12 them?  
13 A. I really don't know. I  
14 would like to also add that if I don't  
15 want to go to sleep, it will not make  
16 me go to sleep.  
17 Q. What do you mean by that?  
18 A. Just what I said. If I  
19 don't want to go to sleep, they will  
20 not make me go to sleep.  
21 Q. You're saying that they  
22 don't have the physiological effect on  
23 you to put you to sleep if you don't  
24 want to?  
138: 1 A. If you don't want to, you  
2 will not go to sleep.  
3 Q. Have you ever taken them  
4 when you didn't go to sleep?  
5 A. Yes.  
6 Q. Did you explain that to  
7 Andrea?  
8 A. No.  
9 Q. What did you tell Andrea?  
10 A. I said these are three  
11 friends.  
12 Q. Why did you call them  
13 friends?  
14 A. Because they might help take  
15 some of the stress and tension away.  
16 Q. Did you see any evidence of  
17 them doing that to her?  
18 A. I don't think so. Then  
19 again we went through some changes.  
20 Q. What do you mean?  
21 A. We stopped talking about  
22 Temple University and leaving Canada.  
23 Q. What effect did that have on  
24 her?  
139: 1 A. What effect does it have?  
2 Let me see. We go in, we're on the  
3 sofa and we're necking and we're  
4 petting. There's no stress. Maybe a  
5 psychologist might call it stress, but  
6 there's no stress. It's a different  
7 kind of emotion going on and hopefully  
8 her orgasm might help a little bit.  
9 Q. So, were you trying to help

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [3/29/2006] Cosby, William H. - 03/29/2006  
Issue Filter: CW Designations, WHC Designations

---

Pg: 136 Ln: 9 - Pg: 144 Ln: 9 continued...

### Annotation:

139:10 her go to sleep with the orgasm?  
11 A. No, I didn't say go to  
12 sleep. Why are you putting words in  
13 my mouth?  
14 Q. I'm not putting words in  
15 your mouth.  
16 A. I'm not saying go to sleep.  
17 I'm talking about relaxation.  
18 Q. You said she took these  
19 pills after examining them. What did  
20 you mean by that?  
21 A. She looked at them.  
22 Q. And when she looked at them,  
23 did she ask you what they were?  
24 A. No.  
140: 1 Q. Did she say anything?  
2 A. No.  
3 Q. Did you tell her they were  
4 herbal medications?  
5 A. No.  
6 Q. Did she ask you if they were  
7 herbal medications?  
8 A. No.  
9 Q. Did she have anything to  
10 drink that night?  
11 A. I don't know.  
12 Q. Had you served her anything  
13 to drink?  
14 A. No.  
15 Q. Did you see any evidence  
16 that she had anything to drink when  
17 she came to the house?  
18 A. No.  
19 Q. Do you know about what time  
20 of evening this occurred that you gave  
21 her the pills?  
22 A. No, I don't.  
23 Q. Do you know what time it was  
24 that she got there?  
141: 1 A. No.  
2 Q. How long from the time that  
3 she got there to the time that you  
4 gave her the pills, if you know?  
5 A. I think I mentioned about 20  
6 minutes or something. We talked 15,  
7 20 minutes.  
8 Q. I have that you talked for  
9 15, 20 minutes after she took the  
10 pills. Am I wrong about that?  
11 A. Okay. Yes, that makes

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth

Transcript: [3/29/2006] Cosby, William H. - 03/29/2006

Issue Filter: CW Designations, WHC Designations

---

Pg: 136 Ln: 9 - Pg: 144 Ln: 9 continued...

### Annotation:

141:12 sense.  
13 Q. How long was she there  
14 before you gave her the pills?  
15 A. Maybe the same amount of  
16 time, 15, 20 minutes of talking.  
17 Q. Do you remember what you  
18 were wearing that night?  
19 A. No, I don't.  
20 Q. Do you remember what she was  
21 wearing?  
22 A. She had on leather pants,  
23 some kind of top that I could lift and  
24 get to a brassiere which would lift  
142: 1 from the front exposing her breasts.  
2 Q. At any time did you say  
3 anything to her about your desire to  
4 go to the sofa and to peck or neck as  
5 you said?  
6 A. I said nothing about my  
7 desire.  
8 Q. Did you say anything to her  
9 about going to the sofa to have this  
10 sexual contact?  
11 A. I said nothing about going  
12 to the sofa to have sexual contact.  
13 Q. You said that she went to  
14 the bathroom and you asked her to have  
15 a sit down on the sofa.  
16 What did you mean by that?  
17 A. I'm sitting on the sofa and  
18 as opposed to have her just stand or  
19 sit in another chair someplace, I  
20 suggested that she sit on the sofa  
21 next to me.  
22 Q. What did she do?  
23 A. She sat on the sofa next to  
24 me.  
143: 1 Q. You also told us at some  
2 point in time she was on top of you.  
3 When did that happen?  
4 A. As the time of the necking  
5 grew.  
6 Q. How long were you on the  
7 sofa necking?  
8 A. I have no idea. It wasn't  
9 long, long, long.  
10 Q. We know time is relevant.  
11 Do you have any estimates?  
12 A. Time is not relative if  
13 you're necking, you lose time.

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [3/29/2006] Cosby, William H. - 03/29/2006  
Issue Filter: CW Designations, WHC Designations

---

Pg: 136 Ln: 9 - Pg: 144 Ln: 9 continued...

### Annotation:

143:14 Q. Was it an hour, half an  
15 hour?  
16 A. I don't think so.  
17 Q. It's less than an hour?  
18 A. I don't know. I don't think  
19 at that time that there's an hour of  
20 just necking.  
21 Q. How long would you estimate  
22 you were necking on the coach?  
23 A. Less than 15 minutes, less  
24 than 20 minutes.  
144: 1 Q. You said when you went  
2 upstairs you set the alarm. What time  
3 was it?  
4 A. I don't remember. I just  
5 know that I wanted to wake up before  
6 daylight.  
7 Q. Why was that?  
8 A. So that she could leave  
9 without staff people seeing her leave.

Linked Issues: WHC Designations

Pg: 145 Ln: 8 - Pg: 148 Ln: 4

### Annotation:

145: 8 Q. How long was she on top of  
9 you?  
10 A. Maybe five minutes.  
11 Q. Where are her hands when  
12 she's on top of you?  
13 A. They were around me.  
14 Q. What part of your body?  
15 A. They were touching me.  
16 There was movement all around. The  
17 position is like so and she is like  
18 this and so she's on top and her right  
19 leg is between my left leg and my  
20 right leg and her left leg is on the  
21 outside of my right leg and her head  
22 is up and I'm talking to her.  
23 Q. What are you saying?  
24 A. I'm asking her to press her  
146: 1 genitalia to my knee and move it.  
2 Q. What is she doing?  
3 A. She's doing it.  
4 Q. Where are her hands at that  
5 point?  
6 A. Propping her up.  
7 Q. Did she ever touch your

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [3/29/2006] Cosby, William H. - 03/29/2006  
Issue Filter: CW Designations, WHC Designations

---

Pg: 145 Ln: 8 - Pg: 148 Ln: 4 continued...

### Annotation:

146: 8 penis that night?  
9 A. Yes.  
10 Q. When was that?  
11 A. When I was behind her.  
12 Q. What was she doing?  
13 A. She touched it. Maybe for  
14 six seconds or so.  
15 Q. Did you ask her to touch it  
16 more?  
17 A. No.  
18 Q. Did you ever ask her to  
19 bring you to climax?  
20 A. No.  
21 Q. Why not?  
22 A. I wasn't interested in it.  
23 I was interested in it for her.  
24 Q. Now, you said that you were  
147: 1 in the spooning position with your  
2 face on her ear?  
3 A. Well, it's sort of behind  
4 her ear, yes.  
5 Q. At any time while you were  
6 behind her, did you give her a massage  
7 on her shoulders or arms?  
8 A. No, I went straight -- as I  
9 told you before. My left arm is out  
10 and her head, her neck is cradled by  
11 my elbow and I'm like this and I go --  
12 Q. With your right hand down  
13 her pants?  
14 A. Right.  
15 Q. How long were you in that  
16 position?  
17 A. With my hands in her pants?  
18 Q. Yes.  
19 A. Maybe less than -- I think  
20 less than 10 minutes.  
21 Q. After you believe she had  
22 the orgasm, did you immediately get  
23 up?  
24 A. No.  
148: 1 Q. How long did you lay there?  
2 A. Time is difficult. I don't  
3 know. We're not there longer than  
4 five minutes.

Linked Issues: WHC Designations

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [3/29/2006] Cosby, William H. - 03/29/2006  
Issue Filter: CW Designations, WHC Designations

---

Pg: 178 Ln: 11 - 21

### Annotation:

178:11 you saw Andrea after that incident  
12 when you gave her the Benadryl?  
13 A. I don't know.  
14 Q. Do you recall going to the  
15 Phoenix Restaurant and Andrea being  
16 present?  
17 A. Yes.  
18 Q. Do you know if that happened  
19 before or after you gave her the  
20 Benadryl?  
21 A. I believe it was after.

Linked Issues: WHC Designations

Pg: 180 Ln: 19 - 22

### Annotation:

180:19 Q. Did Andrea come back to your  
20 home after the dinner at the Phoenix  
21 Restaurant?  
22 A. No, not that night.

Linked Issues: CW Designations

Pg: 180 Ln: 23 - Pg: 181 Ln: 4

### Annotation:

180:23 Q. Did she come to your home at  
24 any time after the incident with the  
181: 1 Benadryl?  
2 A. I think so. I think there  
3 were two more visits with Ms.  
4 Constand.

Linked Issues: WHC Designations

Pg: 184 Ln: 13 - Pg: 185 Ln: 12

### Annotation:

184:13 Q. Did either of you mention  
14 the night that you gave her the  
15 Benadryl?  
16 A. No.  
17 Q. When was the next time you  
18 saw her?  
19 A. Some time shortly later.  
20 Within maybe the next time I came and  
21 called her, asked her to come over.  
22 She came and that too was something  
23 that was about 12 minutes.

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [3/29/2006] Cosby, William H. - 03/29/2006  
Issue Filter: CW Designations, WHC Designations

---

Pg: 184 Ln: 13 - Pg: 185 Ln: 12 continued...

### Annotation:

184:24 Q. Was anyone home at that  
185: 1 time?  
2 A. I don't think so. I'm not  
3 sure. It might have been.  
4 Q. What was your conversation  
5 at that point?  
6 A. Same kind of conversation,  
7 rah! rah! sis boom bah!  
8 Q. At that second visit, did  
9 either of you mention anything about  
10 the night that you gave her the  
11 Benadryl?  
12 A. No.

Linked Issues: WHC Designations

Pg: 186 Ln: 15 - 19

### Annotation:

186:15 Q. At any time did Andrea ever  
16 ask you what happened the night that  
17 you had given her what you say was  
18 Benadryl?  
19 A. Never.

Linked Issues: WHC Designations

Pg: 187 Ln: 1 - Pg: 188 Ln: 5

### Annotation:

187: 1 Q. Did you at any time ever  
2 tell her that you believe that she had  
3 had an orgasm?  
4 A. Yes.  
5 Q. When did that conversation  
6 happen?  
7 A. That was when I came  
8 downstairs. The alarm clock time,  
9 before it went off. And she was awake  
10 and then she sat up. She sat up and  
11 something, something. I don't  
12 remember. Did you have an orgasm?  
13 And she said something the equivalent  
14 of, I can have an orgasm anytime. I  
15 don't have a problem having an orgasm.  
16 Q. So, you asked her if she had  
17 an orgasm?  
18 A. Yes.  
19 Q. And she said I can have one  
20 anytime?

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [3/29/2006] Cosby, William H. - 03/29/2006  
Issue Filter: CW Designations, WHC Designations

---

Pg: 187 Ln: 1 - Pg: 188 Ln: 5 continued...

### Annotation:

187:21 A. Words to that effect. I  
22 can't -- I wish -- but to me it was  
23 sort of pass the salt.  
24 Q. What prompted you to ask her  
188: 1 if she had an orgasm?  
2 A. She sat up and I had done  
3 something that I was hoping had been a  
4 sort of a contribution to happiness,  
5 friendship, a moment that we shared.

Linked Issues: WHC Designations

Pg: 189 Ln: 14 - 24

### Annotation:

189:14 Q. When was the next time you  
15 heard from Andrea or you contacted  
16 Andrea after the second visit that you  
17 just told us about before we took the  
18 short break? Do you know where we are  
19 now?  
20 A. I think so. We are after  
21 the restaurant, I imagine. I am  
22 confused about the time, but the next  
23 time contact is made it's all  
24 telephone.

Linked Issues: WHC Designations

Pg: 191 Ln: 17 - Pg: 196 Ln: 21

### Annotation:

191:17 Q. Did there come a point in  
18 time when you stopped calling her?  
19 A. Yes.  
20 Q. When was that?  
21 A. I don't know.  
22 Q. Why did you stop calling  
23 her?  
24 A. Andrea is now in another  
192: 1 country. Not difficult to get to, but  
2 Andrea is also working on herself in  
3 a, quote, unquote, new life. I  
4 addressed her as a friend. The  
5 corrections that I made with her had  
6 to do with where she was now. I got a  
7 call -- in a conversation with her  
8 Andrea said to me that she felt --  
9 talking about staying with her  
10 parents -- that she felt



## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [3/29/2006] Cosby, William H. - 03/29/2006  
Issue Filter: CW Designations, WHC Designations

---

Pg: 191 Ln: 17 - Pg: 196 Ln: 21 continued...

### Annotation:

192:11 uncomfortable. She felt uncomfortable  
12 in terms of things she had not yet  
13 achieved.  
14 I said to her stay with it.  
15 Have a belief that these things take  
16 time and that eventually it will open  
17 up and it will all pay off and you  
18 will have your own place. You and  
19 your father are very much alike. And  
20 this is the same as if both of you had  
21 connected in like spirits. And I just  
22 felt that there was not much more to  
23 continue in terms of romantic play.  
24 Q. You said the corrections.  
193: 1 Did you mean that you made corrections  
2 to her?  
3 A. Yes.  
4 Q. What did you correct about  
5 her?  
6 A. Well, she calls me and she  
7 wants to leave or she's feeling  
8 uncomfortable about a situation she's  
9 in that she can't do anything about,  
10 i.e., I'm living at home. Andrea, you  
11 don't have any money to get another  
12 place, so let's think differently.  
13 Let us think about the fact that you  
14 won't be there forever, that you're in  
15 school, you'll be working, that kind  
16 of thing.  
17 Q. Was she in massage therapy  
18 school at the time you were having  
19 these conversations?  
20 A. I believe she had just  
21 started.  
22 Q. Now, did you ever see her  
23 again from the time that she left  
24 Philadelphia until you heard about the  
194: 1 accusations?  
2 A. No.  
3 Q. Did you see her parents?  
4 A. No.  
5 Q. Did you arrange for some  
6 tickets for her parents for when you  
7 had a concert in Canada?  
8 A. Yes.  
9 Q. How did that come about?  
10 A. If you're talking about --  
11 you really are speaking of mother and  
12 father?

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [3/29/2006] Cosby, William H. - 03/29/2006  
Issue Filter: CW Designations, WHC Designations

---

Pg: 191 Ln: 17 - Pg: 196 Ln: 21 continued...

### Annotation:

194:13 Q. Right.  
14 A. I don't know who else came.  
15 I don't know if it was a party of four  
16 or whatever. I made arrangements for  
17 them. And it was through Andrea.  
18 Q. Did they go back stage that  
19 night?  
20 A. They wanted to.  
21 Q. How do you know that?  
22 A. Because they came late, too  
23 late for me to see them. Because I  
24 was getting ready to go on. And they  
195: 1 sent back something, a present. And  
2 so I knew they were there. However, I  
3 made arrangements to get out -- I  
4 don't stay after a show.  
5 When I come off the stage, I  
6 don't do bows. I say, thank you, good  
7 night, then the shortest distance to  
8 the car, I'm gone. And the reason for  
9 it is I don't want to be caught by  
10 cars in the parking lot and all that  
11 sort of thing. So, able to beat the  
12 traffic.  
13 Q. What arrangements had been  
14 made for them to see you before the  
15 show?  
16 A. That they would arrive early  
17 enough, they would come back and visit  
18 me.  
19 Q. Who made those arrangements?  
20 A. Mr. Illius' office.  
21 Q. How did you become aware of  
22 those arrangements?  
23 A. Through Mr. Illius.  
24 Q. Did Andrea speak directly to  
196: 1 you about getting these tickets?  
2 A. Yes.  
3 Q. And what did you do when she  
4 called?  
5 A. Talked to her.  
6 Q. What did you talk about?  
7 A. The family, people getting  
8 the tickets and how excited they were  
9 about coming out.  
10 Q. Was it at that point that  
11 you made arrangements to see her?  
12 A. Yes. But it wasn't just  
13 Andrea, it was the whole family. To  
14 me it was sort of celebration because

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth

Transcript: [3/29/2006] Cosby, William H. - 03/29/2006

Issue Filter: CW Designations, WHC Designations

---

Pg: 191 Ln: 17 - Pg: 196 Ln: 21 continued...

### Annotation:

196:15 this is the first time out of all of  
16 the meetings, whether it's Andrea or  
17 Andrea's mother and Andrea's sister or  
18 Andrea's mother and a friend that I'm  
19 going to really meet the father. I  
20 hear talk about him, but I've never  
21 met him. So, he's coming.

Linked Issues: WHC Designations

Pg: 201 Ln: 11 - Pg: 204 Ln: 8

### Annotation:

201:11 Q. And you tell her, I wanted  
12 to get back to you because I didn't  
13 want to talk about anything except a  
14 mutual feeling for friendship and to  
15 see if -- to just see if -- is Andrea  
16 still interested in sports casting or  
17 something in TV. I just want to know  
18 that.  
19 Why did you begin by saying  
20 to her, I wanted to get back to you  
21 because I don't want to talk about  
22 anything except?  
23 A. I am about three to four  
24 different emotions due to the last  
202: 1 conversation and due to Andrea's lack  
2 of honesty with her mother. Andrea  
3 was on the phone, made a statement  
4 that she couldn't move and that's a  
5 lie. And then Andrea every time I  
6 asked Andrea -- I asked Andrea a  
7 question, her mother would blurt out,  
8 what does that have to do with what  
9 happened. I didn't want to yell back  
10 at a woman over the telephone at this  
11 high tension frequency.  
12 I don't know how long the  
13 conversation went. Andrea volunteered  
14 nothing more after that than I got to  
15 go. It was cold. And she I guess  
16 left. I was concerned. I don't know  
17 if I've gone over this with you. But  
18 there are -- and I think I have --  
19 that things are said in threes. Three  
20 times her mother said to me that she  
21 didn't know if Andrea would heal. The  
22 mother said that the mother didn't  
23 know if she would heal. Three times

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [3/29/2006] Cosby, William H. - 03/29/2006  
Issue Filter: CW Designations, WHC Designations

---

Pg: 201 Ln: 11 - Pg: 204 Ln: 8 continued...

### Annotation:

202:24 she said this is a mother's nightmare.  
203: 1 That she had always dreamt and hoped  
2 that something like this would never  
3 happen. And then three times she said  
4 to me I've had a dream and wondered  
5 about where I would wind up in life,  
6 whether I would be -- and it related  
7 to something like, somewhere between  
8 having to look after a child and  
9 monetarily not having -- she didn't  
10 say money. Just having something to  
11 be able to live a life, not rich. It  
12 wasn't even comfort as much as this  
13 thing. She said she knew something  
14 was wrong with Andrea.  
15 Q. You didn't believe she was  
16 telling the truth; is that what you're  
17 saying?  
18 A. What would make you ask that  
19 question? I just finished telling you  
20 that this woman is saying things and I  
21 am concerned. She's on a frequency.  
22 I never said that the mother is lying.  
23 I said Andrea never helped me on this  
24 one. I'm talking about the mother.  
204: 1 So, I felt that the mother was in  
2 charge of this.  
3 Q. Did you think that the  
4 mother was lying about her  
5 observations of Andrea, that Andrea  
6 was upset and having nightmares and  
7 something wrong with Andrea?  
8 A. No. Did I say nightmares?

Linked Issues: CW Designations

Pg: 204 Ln: 17 - Pg: 205 Ln: 21

### Annotation:

204:17 Q. I'm asking you questions.  
18 You can answer them any way you want.  
19 Did you believe the mother  
20 was lying about what she observed  
21 about Andrea?  
22 A. Where did you get nightmares  
23 from?  
24 Q. I'm not here to answer your  
205: 1 questions.  
2 Did you believe the mother  
3 was lying about her observations of

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth

Transcript: [3/29/2006] Cosby, William H. - 03/29/2006

Issue Filter: CW Designations, WHC Designations

---

Pg: 204 Ln: 17 - Pg: 205 Ln: 21 continued...

### Annotation:

205: 4       Andrea?  
5       A.       No,  
6       Q.       Now, my question, though, is  
7       about, and I do believe we went over  
8       the first conversation. My question  
9       is about the second conversation. You  
10      begin by saying, I wanted to get back  
11      to you because I don't want to talk  
12      about anything except.  
13             What was the thing that you  
14      did not want to talk about?  
15      A.       I didn't want to talk about  
16      what did you give her.  
17      Q.       Why?  
18      A.       Because we're over the  
19      telephone and I'm not sending anything  
20      over the mail and I'm not giving away  
21      anything.

Linked Issues: CW Designations

Pg: 205 Ln: 22 - Pg: 208 Ln: 23

### Annotation:

205:22      Q.       Why didn't you simply tell  
23      her in the first phone conversation  
24      that you had given her daughter an  
206: 1      over-the-counter drug called Benadryl?  
2       A.       Because when I said to her  
3      mother let's cut and let's talk about,  
4      the frequency raised. I became a  
5      person being attacked. I want to know  
6      what happened from X o'clock to X  
7      o'clock. I said to the mother, I  
8      don't understand what -- what did you  
9      do to Andrea? I said, are you  
10     accusing me of -- no, I'm not. But  
11     Bill, so forth and so on.  
12             In that conversation I think  
13     I've said to you already that I  
14     apologized to this woman. But my  
15     apology was, my God, I'm in trouble  
16     with these people because this is an  
17     old man and their young daughter and  
18     the mother sees this. I have no idea  
19     yet in this conversation that the  
20     daughter has reported that she can't  
21     sleep in somebody else's house, which  
22     is what the mother told me. Andrea  
23     can't sleep in somebody else's house.

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth

Transcript: [3/29/2006] Cosby, William H. - 03/29/2006

Issue Filter: CW Designations, WHC Designations

---

Pg: 205 Ln: 22 - Pg: 208 Ln: 23 continued...

### Annotation:

206:24                   She as the mother is saying

207: 1           I know my daughter and that children  
2           can't and Andrea went to stay over at  
3           her cousin's house. Andrea is on the  
4           damn phone at this time and she's  
5           saying nothing. Andrea can't do this  
6           and can't do this. And Andrea came  
7           home and said, mommy, I can't sleep  
8           over so and so's house. And I know  
9           something is wrong with my daughter.  
10          What am I going to say at a frequency  
11          like this?

12                   Yes, of course, I'll send  
13          them to you and show you exactly what  
14          it is. How do I know what these  
15          people are talking about? Andrea is  
16          not giving me a half a pound of  
17          anything except I, I, I, I couldn't.  
18          And I said to Andrea, you must also  
19          understand, I said, I was the one who  
20          said, put Andrea on the phone. What  
21          am I hoping for to get from Andrea  
22          after months and months of talking to  
23          and with her, what am I hoping to get  
24          if I'm guilty of drugging somebody?

208: 1           Keep her off the phone. But  
2           not to say, get on the phone, tell  
3           your mother what happened. Tell your  
4           mother you were awake. Tell your  
5           mother about the orgasm. Tell your  
6           mother how we talked.

7           Q.           Is that what you said?

8           A.           No. That's why I'm being  
9           frightened because when I say  
10          something, Andrea's mother jumps and  
11          says, what does that -- so, she's in  
12          control. I'm not going to argue with  
13          somebody's mother who is accusing me  
14          of something. And then when I  
15          apologize she says to me, that's all I  
16          wanted to know, Bill. She said that  
17          to me. And I apologized twice.  
18          That's all.

19                   And I'm apologizing because  
20          I'm thinking this is a dirty old man  
21          with a young girl. I apologized. I  
22          said to the mother it was digital  
23          penetration.

Linked Issues: WHC Designations

## TextMap Annotation Digest Report

Case Name: 47612.013 - Cosby adv Commonwealth  
Transcript: [3/29/2006] Cosby, William H. - 03/29/2006  
Issue Filter: CW Designations, WHC Designations

---

Pg: 211 Ln: 5 - Pg: 213 Ln: 2

### Annotation:

211: 5 Q. Did you believe that you  
6 were being tape-recorded in this  
7 conversation?  
8 A. I believe there's a  
9 possibility. I think she said  
10 something like, wait a minute, I have  
11 to get away from some people or do  
12 something like that.  
13 Q. She said no, no, not at all.  
14 I have a parrot.  
15 A. I'm talking about when she  
16 picked up the phone and when I called  
17 and got her. I think she said there  
18 was something, which is like call me  
19 back or something. And I've got to  
20 change rooms or get to something. And  
21 I believe we dialed her back. I can  
22 be dead wrong on this. But this is  
23 what I believe in the fuzziness. Then  
24 this beeping goes on. And yes, that's  
212: 1 exactly what I asked her and she said  
2 it was a parrot.  
3 Q. And later on in the  
4 conversation she says to you, and  
5 listen, I just want to ask you one  
6 quick question because I'm a little  
7 worried about something. And you  
8 reply, I am. And she says, no, I'm  
9 not going to get into anything with  
10 you, no, no, no because I know you are  
11 in some kind of a business meeting.  
12 But I was just worried, just one  
13 thing. Are you really going to send  
14 me that piece of paper, the name of  
15 that stuff or not or were you joking?  
16 And you reply, no, no, no, no, no. We  
17 can talk about what you asked for  
18 later.  
19 A. Right.  
20 Q. Why didn't you want to tell  
21 her at that point?  
22 A. The parrot.  
23 Q. Because you believe you were  
24 being taped; is that what you're  
213: 1 saying?  
2 A. Yes.

Linked Issues: CW Designations